The Outlook

VOLUME 96 OCTOBER 8, 1910 NUMBER 6

PUBLISHED WEEKLY BY THE OUTLOOK COMPANY, 287 FOURTH AVENUE, NEW YORK
LAWRENCE F. ABBOTT, PRESIDENT. WILLIAM B. HOWLAND, TREASURER. KARL V. S. HOWLAND, SECRETARY
REGULAR WEEKLY NUMBERS, FIVE CENTS. MAGAZINE NUMBERS (FOURTH ISSUE OF EACH MONTH), FIFTEEN CENTS. YEARLY SUBSCRIPTIONS — FIFTY-TWO ISSUES — THREE DOLLARS IN ADVANCE. ENTERED AS SECOND-CLASS MATTER AT THE NEW YORK POST-OFFICE

CONTENTS

Copyright, 1910, by the Outlook Company

The New York Republican Convention 291
The New York Democratic Convention 293
Mayor Gaynor to Serve New York City 293
Other Conventions and Primaries..... 294
The Blind Boss..... 294
Governor Harmon and the Morton Case 295
Railway Employees and Railway Rates 296
Railway Transportation and Water Terminals..... 296
The Leaning Tower..... 297
The Sultan of Sulu..... 298
The Prison Congress..... 298
Governor Hughes..... 299
Dr. Woodrow Wilson's Policies..... 300
A Pagan Story in Modern Dress..... 302
Challenging Death..... 304
The Battle of Saratoga..... 305
Staff Correspondence (Harold J. Howland)
The American Sense of Humor..... 311
By Katharine Roof
A French Circulating Library..... 316
By Hamilton W. Mabie
Popular Government in Oregon..... 321
By Jonathan Bourne, Jr.
The New Books..... 330

POSTAGE is prepaid on subscriptions in the United States, Hawaiian Islands, Philippine Islands, Guam, Porto Rico, Tutuila (Samoa), Shanghai, Canal Zone, Cuba, Canada, and Mexico. For all other countries in the Postal Union add $1.56 to the regular subscription price for postage.

HOW TO REMIT. Remittances should be sent by Draft on New York, Express Order, or Postal Money Order, payable to the Outlook Company. Currency, unless mailed in a registered letter, is at the sender's risk.

CHANGE IN ADDRESS. Notice of change in address should be sent Two Weeks before the date of issue on which the change is to take effect. The change cannot be made unless the subscriber's Old Address is clearly indicated in addition to the New Address.

RENEWALS. The date opposite your name on the yellow label which appears on your copy of The Outlook shows to what date your subscription has been paid. Your renewal should be received two weeks before the date of expiration thus indicated, to prevent any interruption in your receipt of The Outlook.

COPYRIGHT. All the contributions and illustrations of this number are fully protected by copyright and must not be reprinted without special permission.

ADVERTISING. Orders, final instructions, and cuts for advertising must be received two weeks before the Saturday on which the advertisement is intended to appear.

CONTRIBUTIONS. All manuscripts, drawings, and photographs are received with the understanding that the Editors are not responsible for their loss or injury while in their possession or in transit. Return postage should be inclosed with each manuscript submitted, and a copy should be retained by its author.

THE OUTLOOK COMPANY
287 Fourth Avenue, New York City

Chicago Office, 150 Michigan Boulevard London Office, 3 Regent Street

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

AS INVESTMENTS

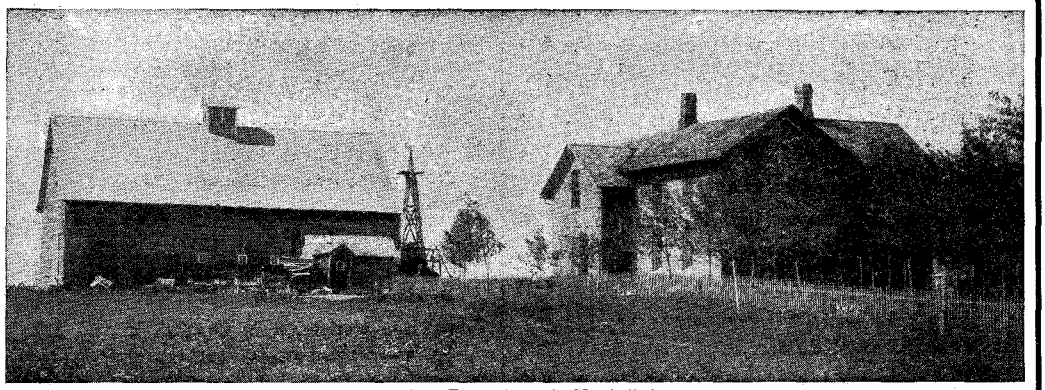
Our Farm Mortgages Offer

SECURITY OF PRINCIPAL:

Furnished by first lien on improved farms worth, according to conservative, established values, two and a half to four times the amount of loan.

GOOD RATE OF INCOME: SIX PER CENT:

Cereal crops raised on the land itself earn far more than the interest and are available for its prompt payment.



A Modern Farm-House in North Dakota

We list below several

REPRESENTATIVE 6% FIRST MORTGAGES

Borrower	Amount of Mortgage	Acres in Farm	Acres Cultivated	Value of Land	Value of Building	Total Value
Engvorson	$ 500	160	100	$ 2500	$ 550	$ 3050
Hulbert	800	160	135	3000	175	3175
Heinle	1000	160	115	3500	750	4250
Dockter	1000	160	125	4500	700	5200
Albright	1200	160	130	3500	950	4450
King	1500	160	135	3500	1100	4600
Swanson	1500	160	160	3600	1700	5300
Cropper	1800	160	160	4000	600	4600
Storey	3500	320	260	8950	450	9400
Haas	4500	680	300	13600	2100	15700

Write for detailed information upon any of the above mortgages and for list of selected mortgages—amounts from $200 up.

We guarantee titles, take care of collection of principal and interest without charge, and personally examine the security.

WELLS & DICKEY CO.

Established 1878 **MINNEAPOLIS, MINN.**

Capital and Surplus $650,000

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Outlook

OCTOBER 8, 1910

LYMAN ABBOTT, Editor-in-Chief. HAMILTON W. MABIE, Associate Editor
THEODORE ROOSEVELT
Contributing Editor

THE NEW YORK REPUBLICAN CONVENTION: THE PLATFORM

The story of the New York State Republican Convention is told on another page by a staff correspondent of The Outlook. In spite of the fact that Mr. Roosevelt was the dominant figure at the Convention, it was by no means a one-man affair. On the contrary, those who were present realize that the results of few political conventions of such far-reaching importance as the Saratoga Convention have been in so large a degree the result of co-operation, deliberation, and untrammeled argument. Mr. Roosevelt and his supporters had more than a working majority at the very outset, and yet those who differed with them were given places on the committee which wrote the platform, and, contrary to the customary procedure, were permitted to present a minority report on the floor of the Convention and to discuss this minority report in a debate which lasted more than two hours. Some effective speeches of the minority, known popularly as the "Old Guard," came very close to eliminating from the platform a declaration in favor of direct nominations. But Mr. Roosevelt's speech on the floor of the Convention as a delegate finally carried the day in favor of direct nominations. All intelligent judges agree that if the minority plank opposing direct nominations had been indorsed, any hope of carrying the State in the coming election by the Republicans would have been utterly destroyed. In a "boss-ridden" convention the minority would have been given no opportunity to raise this debate upon the floor. Those to whom the platform is not satisfactory in every detail, as for instance in the utterance on the tariff, should remember that this document was not written by a single individual, nor by a small group of individuals united in their political views, but was literally produced by a conference of thirty-five men representing all shades of opinion in the party throughout the State. Mr. Payne, one of the authors of the Payne Tariff Law, was an influential member of this conference. If The Outlook had been writing the tariff plank, it would have made it briefer, and it would not have gone into details of percentages or schedules found in the Payne Tariff Law. It would, however, have recognized the fact that the Republican party believes in the protective system and a tariff based upon the differential between labor cost in foreign countries and labor cost at home. It would have urged a tariff commission of experts, the right to revise single schedules or paragraphs without subjecting the entire tariff system to alteration, and would have heartily commended free trade with the Philippines, which has been brought about almost single-handed by President Taft. Reference to the tariff plank, however, will show that all these elements are contained in it. It is significant that the platform starts out, not with the customary spread-eagle tribute to the supposed glories of the party's past history, but by declaring a "relentless warfare upon official and legislative wrong-doing in this State." It promises that in this warfare against the corrupt alliance of business and politics there shall be no party distinction, and that "the crook and grafter and unfaithful man in public service shall be put out and kept out." We believe that this first plank, which is entitled in the platform "warfare against graft," presents the most vital issue before the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

people of the State of New York today. Until the corrupt politicians are expelled both from the party and from their offices, we cannot hope to have in their right form the other things the platform calls for—least of all the tariff. The next most vital issue is that the people shall provide themselves with effective machinery which will enable them to come into more direct contact with and hold to a more direct accounting the men whom they elect to administer the government. This is the direct nominations issue, and is stated in the last plank of the platform. Thus we have a technical arrangement of the platform which is peculiarly admirable. Warfare against graft and direct nominations are the two planks which inclose and contain the other principles of the party. The platform indorses President Taft and Governor Hughes; commends the last session of Congress for its legislation in behalf of the postal savings bank, labor, regulation of inter-State commerce, and irrigation; urges conservation of the State's natural resources, especially water power; approves of the barge canal now under construction; advises a continuance of the work of abolishing grade crossings; asks for reform of the present expensive method of condemning private property for public use; demands businesslike methods and economy in every department of the State; and favors the extension of the signature law, as now applied to general elections, to the primary elections. With the possible exception of the tariff plank, the platform is one which every intelligent Progressive Republican ought to regard as a party utterance of distinct moral and political vigor.

THE NEW YORK REPUBLICAN CONVENTION: THE CANDIDATES

No better man could have been found to stand upon the first and most important plank of the platform, "Warfare against Graft," than the candidate for Governor, Henry L. Stimson. Mr. Stimson is a New York lawyer, forty-three years old, and a graduate of Yale University and the Harvard Law School. Those of our readers who have read the account in these pages of the now famous "Case of the Seventeen Holes" know something about his career. Four years ago he was appointed by Mr. Roosevelt, then President, United States District Attorney in New York City, and immediately took up the work of warfare against graft. In prosecutions conducted by him the New York Central Railway, even after an appeal to the Supreme Court, was obliged to pay $108,000 in fines for rebating. Several other roads paid large fines in cases conducted by him without even attempting to appeal from the original decision. In 1906 he obtained convictions against powerful importers for customs fraud. In 1907 he conducted the case against Charles W. Morse, who was criminally prosecuted by the United States Government for fraudulent practices in the administration of a National bank. In this celebrated case the most powerful social and financial interests were exerted in behalf of Mr. Morse, but, in spite of this, Mr. Stimson carried the case to a conclusion, and we have the instance of one "malefactor of great wealth" serving a long term in prison. The most difficult and most important cases conducted by Mr. Stimson were those against the Sugar Trust, the story of which has already been related in complete detail in these pages. These cases resulted in the restitution to the Government of $3,500,000 and the criminal conviction of the secretary of the Trust, an officer of high rank and responsibility, as well as of some subordinates. The candidate for Lieutenant-Governor is Edward Shoeneck, now Mayor of Syracuse. He is of German parentage, and began his working career as a blacksmith; studying stenography, he entered a law office in Syracuse, and made himself one of the best jury lawyers in his part of the State. He has been active in politics and has served four terms in the State Assembly, where he was a well-known member of the Judiciary Committee. The closing scenes of the Convention must have convinced most participants of the desirability of the "Short Ballot," under which the Governor would appoint the other State officers as the President appoints his Cabinet. The delegates took little interest in the choice of nominees for Secretary of State, Comptroller, Treasurer, Attorney-General, and State Engineer.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and could hardly be restrained from leaving the hall when the question of the Governorship and Lieutenant-Governorship was settled. The present incumbents of these offices, whose records are excellent, were renominated, except in the case of Comptroller and Treasurer, who declined renomination.

THE NEW YORK DEMOCRATIC CONVENTION

After much indecision and the discussion of fifteen possible candidates, the Democratic State Convention at Rochester on Friday of last week nominated for Governor Mr. John A. Dix, of Albany, and for Lieutenant-Governor Mr. Thomas F. Conway, of Clinton. The only candidate for Governor other than Mr. Dix actually voted for was William Sulzer, who received only 16 votes as against 434 in favor of Mr. Dix. The indecision was not among the delegates, however, so much as it was among the small group of controlling leaders. Thus, one newspaper report describes the prolonged session as "two days' seesawing and bickering," while the New York "Times," which is certainly not a supporter of the New Nationalism, declared in its news columns that "never before has Tammany Hall been in such unquestioned control of a State Convention. Never before has any Tammany boss been enthroned as the State leader in the unlimited way in which Murphy is recognized to-day. The Convention is in the hollow of his hand." The up-State Democratic leaders have always resented Tammany interference in State politics, and they were by no means pleased with the way in which—to quote the "Times" again—"Democratic leaders had been going, hat in hand, to Mr. Murphy and asking him humbly to favor this or that candidate." Mr. Dix has been Chairman of the Democratic State Committee, and is a paper manufacturer and banker of Washington County; his father was a cousin of General John A. Dix, who was Governor of New York and the author of the famous phrase, "If any man hauls down the flag, shoot him on the spot." The Democratic platform denounces a number of things, including the New Nationalism, which it totally misrepresents, the Payne-Aldrich tariff, the extravagance of the Republican party, and the tyrannical methods of those who would (in its phrase) "exalt Federal centralized power to the destruction of home rule." It favors thorough tariff revision, economy in expenditure, investigation of corporations, State-wide direct primaries, the popular election of United States Senators, an income tax, a parcels post, conservation by the State of its natural resources; it opposes "unjust and oppressive sumptuary legislation."

MAYOR GAYNOR TO SERVE NEW YORK CITY

The two letters of Mayor Gaynor declining to allow his name to be used before the Democratic State Convention in New York as that of a candidate for the Governorship were based unequivocally on his purpose to remain Mayor throughout the entire term. Resenting the implication that he had in advance pledged himself to that course as a matter of obligation, and recognizing the fact that a Governor could "do large things" for the city as well as the State, Mr. Gaynor thus states his position:

> The office of Mayor of the city of New York, considering the power and the constant occasion for the exercise of the highest functions of free government lodged in it, is second to no office in this country save one. Many tell me and write me that in taking this course I give up my future. But I shall not take myself or my future into consideration. None of us has a future, but only the present. And if I thought I had a future, I should be content to intrust it to the people of the city of New York.

And in his second letter he says: "I could not abandon to their fate the splendid men whom I have appointed to office and who are working hard for good government, nor could I abandon the people of the city of New York after so short a service." This has the ring of sincerity. Mayor Gaynor has shown an admirable spirit in refusing to leave for what would be generally regarded as political promotion his present exceedingly important office; and the fact that public opinion indicates that no other Democratic candidate would have as strong a chance of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

election as would Mayor Gaynor emphasizes the disinterestedness of his refusal.

OTHER CONVENTIONS AND PRIMARIES

The principal result of last week's Massachusetts primaries seems to have been the defeat for renomination of two of the three present Democratic Congressmen, Mr. Keliher and Mr. O'Connell. In New Jersey an interesting event of the week was the choice by the Democrats of the Fourth District as their Congressional candidate of Colonel William Libbey, Professor of Physical Geography at Princeton. That University is thus this year doubly in the political light. State conventions were held in Rhode Island, New Hampshire, Wisconsin, Washington, Illinois, and New York. The Rhode Island Democratic Convention nominated Lewis A. Waterman for Governor; it assails Cannonism, the tariff, and the retention of Secretary Ballinger in the Cabinet. The New Hampshire Republican Convention was, we are glad to say, controlled by the Progressives. Robert P. Bass, their leader, who had won at the first direct primaries ever held in the State, was made the candidate for Governor, and a platform was adopted as drawn by the Progressives, with the exception of the plank calling for the election of United States Senators by direct vote. An even more radical Progressive platform was adopted by the Wisconsin Republicans, perhaps the most radical platform ever adopted by any Republican State Convention. It voices the views of Senator La Follette, who was in control. It declares that the present tariff does not fulfill the pledge of the Republican party; it favors the creation of a non-partisan tariff commission; it declares for such a separate classification of unions, associations, monopolies, and trusts as shall establish real equality before the law, and, where monopoly is inevitable, favors complete governmental regulation, pointing to the regulation of public service corporations in Wisconsin during the past five years as proof that public control of corporate monopoly is successful, reasonable to the corporations, and essential to the welfare of the people; it declares that the recently passed railway bill was changed by the Progressives to its benefit and should be further amended by a provision for the physical valuation of railway property; it also declares that the Postal Savings Bank Law should be amended to prevent the concentration of postal savings in large centers; it recommends a graduated income tax; it avers that the exceptional conditions in Alaska require the construction, ownership, and operation by the Federal Government of railways, docks, and steamship lines necessary to the opening up of the Alaskan natural resources; it demands second-choice primaries, the direct election of United States Senators, and the initiative, referendum, and recall; finally, it is unique, we believe, among State platforms in opposing ship subsidies, a plank affording gratification to The Outlook. In Illinois the Republican platform was awaited with general interest; every one wanted to know whether it would say anything, and, if so, what it would say concerning the legislative scandals which have disgraced the State. We are glad to learn that the platform denounces the corruption "exposed in the last Illinois General Assembly," demands its rigid investigation by grand juries and courts, and punishment where guilt is proven. In particular the platform denounces the "bipartisan combination of sixty Democrats and twenty-four Republicans which controlled the legislative machinery of the House of Representatives in the last General Assembly." In the State of Washington the Democratic Convention supported the judiciary ticket named by the Progressive Republicans, thus emphasizing the strength already developed by the latter at the primaries.

THE BLIND BOSS

In Rhode Island one may almost say that the Governor is nothing, the boss everything. The Constitution of the State does not even give the Governor veto power, and the compactness of the political machine is such that one man can control the politics and patronage of the State to a degree hardly equaled elsewhere. Charles R. Brayton, who died last week, has often been called the dean of the political bosses of the United States. Although for seven or eight years he had been totally blind, he did not for a moment relax his hold on

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the political machinery of the State. Even in those rare intervals when the Democrats were in power, Brayton continued to have complete control over Federal appointments and kept his party machinery in perfect working order. It is said that at one time when a Democratic Governor and Lieutenant-Governor had been elected and the reform papers were rejoicing over the defeat of bossism, General Brayton (he had some claim to the title, for he had served with credit in the Civil War) exclaimed: "What are they blowing so hard about it for? They've only got a Governor who can't do anything but sign commissions for notaries, and a Lieutenant-Governor who can't do anything." The standards of Boss Brayton were those of the old-fashioned ring politician who thoroughly believes that nothing can be done in the way of government except through patronage. He made no bones, as the phrase goes, of encouraging the most offensive kind of lobbying, and bartered offices as if they were cabbages. Personally, he did not care much about holding office, although in his younger days he was postmaster of Providence. But he keenly enjoyed being the power behind the throne, and the subserviency of minor politicians and office-holders to their recognized boss has for twenty years been Rhode Island's disgrace. Brayton was a man of considerable sense of humor, and many stories are told of his frank and even brutal methods of emphasizing his power. It is said that he protected the State Treasury, and that the new State House, which cost about three million dollars, was erected without fraud or scandal. But the legislation dictated by the boss was notoriously influenced by the desires of the great corporations, and the prevalence of what goes by the name of "honest graft" was undeniable. Boss Brayton was a striking illustration of that political type represented vividly in Mr. Winston Churchill's novel "Mr. Crewe's Career."

GOVERNOR HARMON AND THE MORTON CASE

The campaign in the State of Ohio in which Governor Harmon is seeking re-election has revived the old charges that Mr. Roosevelt, when President, shielded Mr. Paul Morton, at that time Secretary of the Navy in his Cabinet, from punishment for violating the Anti-Rebate Law. The facts in this case are as follows: The Santa Fé Railway was accused of giving rebates in favor of the Colorado Fuel and Iron Company. It was alleged that Mr. Paul Morton, as Vice-President of the Santa Fé Railway, had disregarded an injunction of the court which forbade such rebates. Mr. Moody, who was then Attorney-General of the United States and who has since become Justice of the Supreme Court, was directed by President Roosevelt to investigate these charges of violation of the law by Mr. Morton. Mr. Harmon, who has since become Governor of Ohio, and Mr. F. N. Judson were employed by the Government as special attorneys to assist Mr. Moody in this investigation. Messrs. Harmon and Judson came to the opinion that Mr. Morton was guilty. Attorney-General Moody, in reviewing all the evidence, disagreed with them, and rendered the official opinion that he was not guilty; whereupon Messrs. Harmon and Judson resigned on the ground that the Government was attempting to shield Mr. Morton. If there were no further facts to throw light upon this difference of opinion between the President and the Attorney-General on the one hand, and their assistants, Mr. Harmon and Mr. Judson, on the other, it would still be merely a matter of opinion, and it might be said that Mr. Moody's legal judgment is as sound, able, and judicial as Mr. Harmon's. But there is further light. The case which involved the charges against Mr. Morton was carried into the United States Circuit Court, and will be found reported in full in Volume 142 of the "Federal Reporter," beginning at page 176 and running to page 193. It was tried before Justice John L. Phillips, of the United States District Court for the Western District of Missouri, who is himself a Democrat, who would have tried the case against Mr. Morton had Messrs. Harmon and Judson prevailed in their view, and who had before him all the facts and evidence in their possession. Judge Phillips, in rendering his decision, used the following language:

> This instance has attracted considerable public attention, because of the sensational association of the names of Mr. Ripley and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mr. Paul Morton, then President and Vice-President, respectively, of the defendant company, with the transaction. The record in the case, however, consisting of the pleadings and exhibits of evidence taken before the Inter-State Commerce Commission, fails to furnish any foundation for imputing to those gentlemen any personal responsibility for the alleged violation of the Inter-State Commerce Law.

It will thus be seen that Judge Phillips, of the United States Circuit Court, sustained the opinion of Attorney-General Moody; and while the decision of a single judge may sometimes not be final, Judge Phillips's opinion in this case must be accepted as conclusive that there was no evidence to connect Mr. Morton with the acts complained of, for his opinion has never been questioned in any higher court.

RAILWAY EMPLOYEES AND RAILWAY RATES

Last week four great organizations of railway employees instructed their chief executives to support the demand of the railways from the Inter-State Commerce Commission to permit the general raising of freight rates. In a formal set of resolutions, which the organizations sent to the President of the United States, the Inter-State Commerce Commission, and State law-making bodies, the employees "propose to continue to insist from their employers the granting of higher wages, more favorable working conditions, shorter hours, and adequate compensation for their membership injured or killed in the service." In order to secure such benefits, however, the employees recognize that their employers "must be accorded sufficient earning power to meet these demands." Hence the Commission is asked to consider the matter "in a broad-minded manner," and to make such disposition of it "as will foster and encourage the efficiency of the service, the welfare of the rank and file, and the maintenance of standards best calculated to enhance the development of the properties." The "two million voters directly dependent on the railway interests" declare, according to the memorial, that they will use their "collective and individual efforts against those who are selfishly or otherwise antagonistic to the interests from which we derive our livelihood." This statement by a body of employees that they are dependent upon a certain set of "interests" for their livelihood is astonishing, and sounds somewhat less like a declaration of independent men than like a lesson learned by rote. Apart from this, the position taken by the railway employees is an entirely natural one. In common with others suffering from the rapidly rising cost of living, railway employees certainly need higher wages. Exactly this argument of the cost of living has been used by the railway companies to demand higher rates. But what has the employees' demand to do with solving the general question now being considered in the Inter-State Commerce Commission's present investigation? If, because of the necessity for lower gradients, solider roadbeds, stronger bridges, more powerful engines, and better rolling stock, and because of the higher cost of these improvements, as well as the price of labor, rates should be raised, then common justice should demand the increase. But, on the other hand, if the proposition to raise rates was devised, instead, largely to provide dividends for the issues of watered stock put out by some companies, and to open the way for the issuance of more doubtful securities, then the Commerce Commission should call a halt. For the Commission does not represent only employers and employed. It also represents the third party to the discussion, the public, and it will see that managers and men do not make common cause against that public.

RAILWAY TRANSPORTATION AND WATER TERMINALS

In his just published report on transportation by water Mr. Herbert Knox Smith, the Commissioner of Corporations, calls attention to the following pertinent facts:

(1) Water terminals are as important as channels.

(2) Our harbors have not fully developed their terminal frontage.

(3) Railways largely control water terminals.

(4) There is little linking up of rail and water systems at the water's edge.

(5) In improving channels there is little co-operation by localities with the Federal Government.

Our most important port is, of course, that of New York, a terminus of impor-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tant trunk railways and of many ocean steamship lines, also of a large number of coastwise lines and of the Erie Canal. The inevitably great volume of business from these sources at the port of New York is further increased by an enormous local passenger traffic. The congestion of business, however, is mainly due to the defective co-ordination of rail and water traffic. There is practically no belt railway and little rail connection between the water terminals and local industries. Hence there is undue intra-harbor transfer and rehandling by lighterage and drayage; indeed, in the current phrase, "freight is brought from the interior to Jersey City, stored in Brooklyn, and shipped from Manhattan." The port's physical configuration necessitates an uncommon volume of lighterage business; no less than ten thousand craft perform such service and about sixty thousand men are employed on them. The railway companies alone have a fleet, exclusive of their ferryboats, of about thirteen hundred harbor vessels; even in the case of the New York Central, which enters Manhattan Island directly by land, three-quarters of its freight is moved at New York in barges. How may conditions in this port be improved? First of all, move traffic away from the more central district. Some years ago a city commission pointed out that the development of an outlying locality, particularly Jamaica Bay, might be accomplished at comparatively reasonable cost; the frontage of the Harlem River and of the Borough of the Bronx also offer opportunity for terminal growth. Secondly, he holds, a belt line railway, including an underground system, is desirable. Mr. Smith's report also discusses terminals at other Atlantic ports, at the Gulf and Pacific ports, and at the harbors of the Great Lakes; finally, he considers the terminal situation on the rivers of the Mississippi system. From this comprehensive study he concludes, of course, that much railway control of water terminal frontage is necessary. But he is equally keen to see that rail and water systems are often in vigorous competition. Hence railway ownership of terminal property must be prevented from resulting in unjust discrimination and unnecessary burdens upon commerce. Certainly the people must compel more practical co-ordination between railways and water traffic. Only so will the country's entire transportation facilities be united into one effective machine.

THE LEANING TOWER

There is perhaps no more impressive place in Europe, from an architectural point of view, than the square in Pisa on which stand the Cathedral, the Campanile, the Baptistery, and the Campo Santo, a group of buildings which in their entirety present an effect of grace, strength, and a certain lightness of structure perhaps without a parallel. The century-old discussion as to whether the tower was built with its present inclination or has settled on its foundation has practically ended in the conviction that the construction, begun in 1170 and completed two hundred years later, was to have been carried up perpendicularly, but when work was resumed after an interval of two hundred years it was seen that the part already completed had taken a certain slant, and to preserve the existing structure the horizontal level of the stories was kept by gradually increasing the height of the arches on the lower side. During the past few months the cry of danger has been heard; and the apprehension appears to have been serious. The fall of the tower would be a calamity which would be felt by the whole Western world. It is one of the most familiar objects to the infant and adult mind of Europe and America; it appeared, like Fingal's Cave, in all the old geographies. Many people have seen it with the eye; almost everybody has seen it with the imagination. It is reassuring, therefore, to hear from an American architectural expert, William H. Goodyear, that there has been no change of condition at Pisa, and that the tower is as safe as it has been at any time since architects began to study it. Mr. Goodyear, who spent considerable time at Pisa a few months ago, making careful measurements and a critical examination of the structure, analyzes the report of the Italian Commission which has recently examined the tower, and shows that its measurements are misleading, and that the conclusions which it reaches are not supported by the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

facts. Without going into the technical details on which Mr. Goodyear's judgment is based, we may say that he is of opinion that the inclination of the tower was increased by the earthquake of 1846, and that no facts exist which justify the belief that there has been any recent further declination. It is very much to be hoped that this is a conclusion which will set at rest the apprehensions of the authorities in Italy. To take down the Tower of Pisa needlessly would be to deprive the world of one of its most familiar architectural monuments; while the prospect of restoring it to a perpendicular position would fill the whole world with dismay. Restorations are rarely successful.

THE SULTAN OF SULU

Last week the Sultan of Sulu arrived in America. In appearance he is very unlike one's preconceived ideas of what a Sultan should be. Instead of a stalwart figure arrayed in Oriental silks, the Sultan of Sulu is a small, dapper-looking person less than five feet tall and wearing tight-fighting European dress. His full name is Hadji Mohammed Jullalul Kiram II. The title Hadji means that he is one who has made the pilgrimage to Mecca. As may be gathered from the above, the Sultan is a Mohammedan Malay. His home is at Jolo (pronounced Holó), on the mountainous island of Sulu in the Sulu archipelago, which stretches from the island of Mindanao to Borneo. His present income is about nine thousand dollars a year, of which fifteen hundred dollars is in salary allowed him by the Philippine Commission. He is reputed, however, to be the owner of pearls worth several hundred thousand dollars, and is supposed to have sold many of these pearls in his journey round the world. The Sultan's visit in this country is being superintended by Colonel Hugh L. Scott, until the other day Governor of the West Point Military Academy, and formerly Governor of Sulu. The natives of Sulu are the most turbulent of all the Moros, being the remnant of a once powerful people who at one time dominated the narrow seas between Mindanao and Borneo. When the Philippines came under American control, our Government was informed that no less than a hundred thousand regular troops would be required to control the turbulent Moros, principally the Moros of the Sulu Islands—even Spain did not succeed in asserting her sovereignty over the Sulu archipelago until the latter part of the nineteenth century. But Colonel Scott handled the natives with such tact, skill, and success as to obtain a great personal and governmental ascendency over them. Under his administration slavery and slave-trading were effectually terminated, and the people came to trust him almost implicitly. The economic advance was also marked by the manifold increase of land under cultivation. The presence to-day of a petty Oriental monarch among us certainly accentuates the difference between former despotism and unthrift in the Far East and present-day liberalism and progress.

THE PRISON CONGRESS

Representatives of thirty-five different countries last week completed their tour of twenty-one hundred miles, visiting reformatories, industrial schools, and prisons from New York to Washington, including visits in Indiana and Kentucky. Among the delegates from other lands were the men at the head of the prison systems of England, Scotland, Ireland, France, Holland, Hungary, Mexico, New South Wales, Russia, Spain, and Sweden. Other nations sent judges, lawyers, professors, inspectors, and newspaper men. One of the last has a list of twenty papers which will learn of the doings of the Congress through his pen. In that way only will Germany share to any extent in the Congress, since that great country is not an official member of the International Prison Commission. Some of the separate German States are represented on that Commission, but the Empire as a whole has never joined this league for the scientific study of the cure and prevention of crime. This is the more to be regretted since Germany has much to teach in this direction. The value of such a Congress is in proportion to the wisdom of the individual units which make it up, and the help that Germany could lend can be ill spared. A few active prison workers and students from that country will attend the Congress unofficially.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

GOVERNOR HUGHES

For nearly four years Charles Evans Hughes has been a great Governor. As Chief Executive of New York State he has become more of a factor in American development than some Presidents. Without any preparatory training in public office, he has risen to a position of extraordinary leadership. Now, as he ceases to be an executive and a guide of public opinion to become a Justice of the Supreme Court of the United States, it is a fitting time to review his more salient acts of public service and to indicate the spirit in which he performed them.

His first gubernatorial message showed what manner of leader he was to be. As The Outlook said at the time, it was the kind of message out of which an intelligible political philosophy can be framed. It was a summons to make the government responsible to the people, sovereign over its creatures, and efficient as the instrument of society for the promotion of the general welfare. It was the expression of a view of government antagonistic alike to the extreme individualist and the extreme Socialist. This view, embodied in the Roosevelt policies, assailed from the one side by Alton B. Parker and from the other by William J. Bryan, thus found a new and able interpreter in Governor Hughes. And this view thus expressed in his first gubernatorial message was reiterated in messages and speeches thereafter, and became incorporated in more than one law passed under his influence.

Against this conception of government Governor Hughes encountered the fiercest opposition, not from those who differed from him in political theory, but from those who feared to lose unearned privilege. As counsel for the legislative committee investigating the insurance companies, he brought to light secret connections between corrupt business and corrupt politics. The alliance between the boss and the selfish private interest, however, continued. Of this alliance Governor Hughes declared himself a most vigorous enemy. The history of his four years as Governor has been in large measure the history of his war against this combination. The enmities he has incurred have been a tribute to his character, for they have been enmities created by a moral issue. In this he has been uncompromising. That he has sometimes seemed to refuse to compromise on what is merely a matter of method is simply a measure of his determination never to compromise on principle. And it is because he has never knowingly compromised on principle that he has enlisted the conscience of the people on his side of every struggle.

His success as a leader, however, has been not only because he has been sound in his moral judgments, but also because he has been clear in his intellectual grasp of public problems. His ability to understand detail has been one of his most marked characteristics; but it has not prevented him from applying concretely and specifically to definite measures the test of political principle.

This is evident in the three great measures that are associated with his name—the Public Service Commissions Law, the Race-Track Law, and the Direct Nominations Bill. Each of these measures was framed under his personal supervision in accordance with his right, as Governor, to recommend legislation; and each, constructed with remarkable attention to detail, is an embodiment of a general principle in the meeting of a specific problem.

One of the recognized problems of the times is the preservation of the proper balance between the State and the Federal authority. Modern conditions have made it necessary for the Federal Government to exercise larger powers than ever before. Many of those who have feared that the balance may be destroyed have argued that the Federal power must be checked. That, in general, has been the method urged by the Democratic party. Governor Hughes, on the other hand, has taken the other position: if the balance needs to be restored, do not weaken the Federal power, but strengthen the State. The outcome in New York State of Governor Hughes's application of this principle is the Public Service Commissions. So well drawn is the law creating these Commissions that it has served as a model for the creation of Commissions in other States, and might

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

well be followed in large measure for extending the authority of the Inter-State Commerce Commission itself.

Another problem largely discussed is that of securing respect for Constitutional provisions. Many of those who have feared lest such provisions may be neglected have argued that the activity of governmental agencies, and particularly of the Executive, should be checked. This, in general, has been the attitude of the Democratic party. Governor Hughes has taken the other position: if the Constitution is neglected, do not neglect other portions of the governmental agencies, but enforce the Constitution. The outcome in New York State of Governor Hughes's application of this principle was the passage, after a fierce struggle, of bills enforcing the State Constitution's prohibition of race-track gambling.

A third problem has been that of preserving the right of the people to control their own government. Many of those who have feared that the people will become subservient to their own public servants have advocated the use of checks and balances by which to fetter the action of such public servants. This has generally been the attitude of the Democratic party. Governor Hughes has taken the other position: if the people are in danger of subordination to their own servants, do not hamper the servants, but make them responsible. The outcome in New York of Governor Hughes's application of this principle is not as yet the passage of any law, but the recent unqualified adoption of the principle of direct nominations by the Republican party.

In all his career Governor Hughes has shown his belief that a Republic is a school in self-government. In that school all public officers, as well as voters, are learners. In that belief Governor Hughes has gone direct to the people, and with them has discussed the common problems of the State. He has been willing to risk unpopularity not merely in the cause of righteousness but also in the cause of consistent common sense—as when he vetoed the two-cent fare bill because the State had intrusted the fare-making to a Commission; and he did this because he has not only courage but also confidence in the ability of the people to reach sound conclusions if only they are made acquainted with the facts. His career has been a justification of his own faith in the people's integrity and intelligence; and it is an exemplification of that saying which is as democratic as it is religious: "Whosoever of you will be the chiefest among you, shall be servant of all."

DR. WOODROW WILSON'S POLICIES

There are three forms of opposition to what The Outlook has called the New Federalism, but Mr. Roosevelt has more felicitously called the New Nationalism. It is opposed by interested parties who have obtained autocratic power through their wealth and are unwilling to resign any of that power or submit it to regulation. These interested parties are not by any means always corrupt, but they do not believe in the wisdom and competence of the common people, and few men are ever willing to relinquish power already possessed. There is also the opposition of unintelligent reactionaries who desire to see the principles and methods of the founders of the Republic maintained by their descendants, and are unable to realize that those methods which were appropriate to a union of thirteen States along the edge of the Atlantic Ocean, with a population not quite equal to that of the city of New York, are not appropriate to a union of forty-six States extending from ocean to ocean, with a population of ninety millions of people, and with a complex civilization which the founders of this Republic never dreamed of.

But there is also an intelligent opposition to the New Nationalism. It comes from men who fear lest, in the increase of Federal authority, we shall lose sight of the principle of local self-government; and our Republic is founded on the principle of local self-government. They thus wish to emphasize the doctrine that each individual should be left to take care of his own interests; that each locality should be left to take care of the local interests; and that only the interests which concern the Nation as a whole should be intrusted to the National Government. We are very glad that this party exists. It is

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

always unfortunate in a democracy to have one party dominate the Nation without intelligent opposition from another party, with a resultant public discussion. Such a Nation is in the condition of a man who undertakes to decide an important question without giving any consideration to both sides of it. How to adjust the central power of the National Government with the maintenance of local self-government is a problem of supreme National importance, and requires for its wise determination National debate. We know of no abler representative of this intelligent opposition of the New Nationalism than Dr. Woodrow Wilson. We are glad to see him coming to the front as a Democratic leader. The Democratic party needs just such leaders.

In an interview published in the New York "Evening Post" he puts forth with characteristic clearness three principles for which he stands:

First, he holds that a partnership is springing up between the special interests and the Republican party which no man can reasonably hope to see broken by the Republicans, and he anticipates that the Democratic party, despite some blunders and vagaries in the past, is the proper one to break up this alliance between the Government and private business. Our readers do not need that we should here repeat our belief that nothing is more important in the present condition of the Nation than the entire sundering of all alliance between special interests and the Government by the Nation or State. We think that under its present and prospective leaders there is more hope of sundering this alliance from the Republican than from the Democratic party, though it is not impossible that a new alignment of parties may take place, with those who believe in government by the people for the people's interest on the one hand, and, on the other, those who believe in the maintenance of the conditions out of which such an alliance has grown in the past.

In the second place, Dr. Wilson believes that we must get rid of the idea that the corporation is a person who is to be punished for corporate wrong-doing, and must go back of the corporation to the individuals who manage its affairs, and punish them when the management is criminal. If we fine the corporation, the penalty falls upon the innocent even more than upon the guilty; if we dissolve the corporation, we throw great undertakings out of gear. This position appears to The Outlook sound but not new. The prosecution of the Sugar Trust illustrates the method which has already been pursued by the present and preceding Administrations. As the result of these prosecutions the Sugar Trust has been compelled to refund millions of dollars to the people of the United States which it has taken unlawfully from them, and those who were directly guilty of the fraud have been punished by imprisonment. It is probably true that there are persons higher up who profited by the fraud, and who directly or indirectly participated in it. At least this is the popular opinion; but popular opinion is not legal proof, and all the Government can possibly do, in case of fraud, is to punish those whom it can prove by legal evidence to have been guilty of the fraud. The case of Mr. Morse has proved, however, that sometimes the law can reach the principals, not merely their agents. Dr. Wilson lays much stress on the punishment of criminal conduct by and on behalf of great corporations, but little stress on the regulation of great corporations, whether State or National. He does, however, in a single sentence, recognize this principle to the full:

> A corporation is merely a convenient instrument of business, and we may regulate its use as we please, and those who use it.

We do not recall any advocate of Government regulation who has stated the fundamental principle in terms more radical. In our judgment, this power to regulate is more important than the power to punish, because it is always more important to prevent wrong-doing than to punish it after it has been done.

Dr. Wilson's third principle we report in his own words:

> The indisputable fact is that the Federal Government has, in recent years, been launched into many fields of activity, even the existence of which previous generations did not foresee. I, for one, am very jealous of the separate powers and authority of the individual States of the Union. But it is no longer possible with the modern combinations of industry and transportation to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

discriminate the interests of the States as they could once be discriminated. Interests, once local and separate, have become unified and National. They must be treated by the National Government.

This statement appears to us to embody the fundamental principle of the New Nationalism. If so, the question at issue between the democracy of Woodrow Wilson and the democracy of President Taft and Theodore Roosevelt is an issue of emphasis, not of fundamental principle. We hope that, as the New Jersey campaign progresses, Dr. Wilson will amplify this paragraph, and make clear what the subjects are which he thinks should fall under the control of the Federal Government, and what should be left to the separate powers and authority of the individual States. The conviction of The Outlook on this subject is clear. It is, that all the properties which belong to the people of the United States, and all the commercial operations between the several States, and therefore transcending the limits of the individual States, should be left under the absolute control and authority of the Federal Government; and those matters, and those only, should be left to the separate powers and authority of the individual States which concern only the citizens of the individual States.

A PAGAN STORY IN MODERN DRESS

The story of John Maxwell Senhouse and Sanchia Percival has been told by Mr. Hewlett in three volumes of such fresh invention, unfettered freedom of thought, and intimacy with nature that it is likely to hold a place by itself in English fiction. The glow of feeling which gave such rich color to "The Forest Lovers" and the "Little Novels of Italy" has been subdued and diffused, so to speak, until it enfolds this unique love story in an out-of-door atmosphere as radiant as that of a Monet picture and as cool and fresh and vivifying as that which gives a soft mystery to the English landscape. Mr. Hewlett's art has become more sure and confident as his work has broadened, and in "Rest Harrow" he shows himself one of the most finished craftsmen of his time. He has dropped the affectations and forced brilliancy of phrase which occasionally marred his earlier stories. There is that in his thought and way of speech which will probably always give his style an esoteric quality; but he writes now according to his nature and is apparently less concerned to heighten striking effects.

"Half-Way House," "Open Country," and "Rest Harrow"[1] constitute a trilogy of novels in which three portraits are drawn with subtle and captivating skill. Whatever may be said of Senhouse, Sanchia, and Mary Middleham, they cannot be dismissed by a simple gesture of disapproval. They are, in their way, as striking as Sargent's portraits and as well worth open-minded criticism. Unlike Sargent's portraits, these studies of imaginary persons, in what is essentially an imaginary world, are touched with tenderness. Whether Mr. Hewlett believes in his characters or not, he is evidently deeply interested and at times genuinely moved by their various fates.

Senhouse, he tells us in the remarkable series of "Letters to Sanchia,"[2] was a devout reader though never an ardent student, with an instinctive contempt for prescribed courses of study or of life. On a May morning he rose, put on gray flannel trousers, a white sweater, a pair of nailed boots, breakfasted on an egg and coffee, walked out of his rooms and out of Cambridge, and never returned. His hat was left in his room, as were his check-book and ready money. He vanished from England, and the first word from him came two years later and was postmarked "Cracow." He was never a citizen; always a dweller in tents; he wandered in Poland, Siberia, Cashmere, the Caucasus, Colorado; a scholar-gypsy, with a passion for botany; clean as the rocks, free as the wind; the companion of tramps, tinkers, the people of the road; as audaciously individual as Thoreau and living as daringly at large as Borrow. He was not a rebel, for he never accepted any rule of Church or State; to please his father he spent six months in a counting-room and then fled precipitantly to

[1] "Halfway House," "Open Country," "Rest Harrow:" three separate stories, complete in themselves, but constituting a trilogy. (Charles Scribner's Sons, New York.)

[2] "Letters to Sanchia:" a group of letters supposed to be written by Senhouse to Sanchia, with an introduction by Mr. Hewlett. (Charles Scribner's Sons, New York.)

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the open country, never to go indoors again. "The less you have the more you are," was the working principle of his life. When he needed a little money, painting and journalism filled his modest purse. He was a wanderer with a profession: he made barren places blossom. He made a Cornish cove glow with peonies; on a Dartmoor tor he planted Caucasian irises; under his hand a stretch of sand near Bristol became a garden of tamarisks; on the outskirts of an oak wood in the "New Forest" he hung a curtain of wistaria; in Cumberland he created a glade of larkspur, "a sight to thank God for—nine feet high some of them, lifting up great four-foot blue torches off a patch of emerald and gold."

When Senhouse came upon Sanchia, in the third chapter of "Open Country," she was holding her skirts high and working in a pool of water, as unconscious, slim, and sexless as a nymph; in a moment she was thigh-deep in the water and Senhouse was working beside her; it was the beginning of an intimacy as elemental as air and light. She was a goddess to him—a modern Artemis—and he was a teacher sent from Nature to her. Without a thought of the fruit of his doctrine which a woman might reap in her life by practicing his theories, he taught her the gospel of free life outside the conventions of society and the laws which governed the world in which she was born.

That teaching reached its most critical stage in dealing with the relations of men and women. Marriage, he held, made women property, "marketed by the dressmaker, safeguarded by the policeman." It was a taking doctrine, preached by a clean man out of doors and reinforced by a multitude of obvious instances; but how would it work in the life of a girl to whom theories were serious maxims to be put into practice with simple-hearted audacity? In "Open Country" Sanchia meets Ingram, an egotist and a cad, and in all innocence of heart thinks she loves him; he pursues her, swoons at her feet, convinces her that she alone can save him. When the whole current of her nature flows toward him in a desire to help him, and, passion not yet awakened, she feels that she is the elect one to be a refuge to his distracted spirit, she learns that he has a wife! His appeal to her is, therefore, the more insistent; external laws do not exist for her; she is loved, she is needed, she goes; not shamefacedly, but in the open day, in the face of the outcries of her family; as calmly as she would have gone to meet Ingram in a church, before a priest. Then Senhouse goes through the experiences of the philosopher in Bourget's novel "The Disciple." He is brought face to face with his theory put into practice by a woman he loves. "He was to learn, it seems, that if you tell a lady she is a Goddess it is not possible for you afterwards to complain that she acts like a Goddess, to whom 'good' and 'evil' are empty words, as empty as 'pity' and 'terror' in a thunder-storm. . . . Had he done her reasonable honor by his testimonies, or had he lured her on to dishonor and shipwreck?" Meantime she has given herself to a scoundrel, her home is closed to her, and she stands in the market-place naked to the jeers of the evil-minded and the merciless scorn of society. Surely not a comfortable position for Senhouse!

When "Rest Harrow" opens, Sanchia has charge of an estate which belongs to Ingram, who has been long absent; she has discovered his meanness and cruelty, and when he returns he finds her unapproachable; but neither then nor later does she condemn her surrender; she has gone as far as her heart led her, but now that her love is dead she is intrenched in her own sense of rectitude. Ingram besieges her in vain, and finally, with the urgent reinforcement of her family, is eager to marry her. This would be the conventional ending, the legal righting of the wrong; it would also be a confession of wrong-doing. Sanchia cannot understand that there has been any wrong-doing; she does not love him, and to marry him would be a sin against nature. She escapes to the open country and marries Senhouse.

Of "Rest Harrow" there can hardly be but one opinion: it is a beautiful piece of art, always on the borderland between prose and poetry, and yet, even in its lyric moments when something of the living loveliness of Nature shines in its pages, securely anchored in reality. In a sense the love story of Senhouse and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sanchia is a fairy-tale told in an imaginary world. There are, the story tells us, "beings upon the earth, visitors or sojourners by chance, whose true commerce is elsewhere, in a state not visible to us, nor to be apprehended by most of us; whose relation with mankind is temporary. The spheres which govern us govern not them, and their conduct is dictated by their good pleasure, where ours goes after the good pleasure of our betters. Thus a man may, if he can, take a goddess or nymph to wife, but should not be disconcerted with what she may elect to do."

Those who, in the purity of their hearts, can read these novels as records of such visitors or sojourners will find them deeply interesting and singularly beautiful; for Sanchia is a good woman; a better woman than many of the women who surrender themselves for money or rank or comfort—for anything save love—under the sanction of the marriage relation. Sanchia, like Tess, is a "pure woman faithfully presented." But she is too human, too near the daily habit, the domestic hearth, to wear the guise of the Goddess in the eyes of society. A Goddess who goes to the Grosvenor Gallery and haunts the reading-room of the British Museum and wears her star-like beauty in London drawing-rooms has so far laid aside her divinity as to come into human relations and has put herself under human laws. She keeps her own standard of purity, but she becomes a law-breaker. Senhouse is a theoretical anarchist; Sanchia, his disciple, becomes a practical anarchist. The freedom of the Goddesses made trouble even on Olympus; in Belgravia it would dissolve society. In a society ravaged by diseases of many kinds it is likely to exert a demoralizing influence. In the world as now constituted, while it is true that marriage without love is a respectable form of impurity, love without marriage is a form of anarchy. "Rest Harrow" is a pagan story in modern dress; a beautiful piece of fiction, not without graver meaning for the Philistine and the Pharisee; to be read by others as one would read "Atalanta in Calydon" or Ovid's "Metamorphoses."

It must be said, with the frankness due to a writer of Mr. Hewlett's rare gifts, that his failure to recognize the moral order of life and its reaction on character keeps him out of the group of novelists who have made the stories the world cannot forget deep and vital expositions of that moral quality which, as Mr. Morley has said, is not *in* the order of things; it *is* the order of things, the very tissue and substance of life.

CHALLENGING DEATH

The other day a brave man died. He had borne intense suffering for many years, but only his most intimate friends knew that his life was one of heroic endurance; the presence of death had been with him so long that he worked in its shadow as quietly as one works in the shade of a tree in summer. He never spoke of the cross laid on his shoulders, and when his weakness was so great that he could do his work only by relentless force of will he was at his post. He faced the intensity of agony peculiar to his disease as a brave man faces an enemy, unmindful of danger, heroically mindful of his task and his responsibilities. On the morning of the day of his death his face, which had been drawn and strained by acute pain, was relaxed and smiling, and in answer to the question why he smiled he said quietly, "I am going to die to-day." And when, a few hours later, he turned his face on his pillow and closed his eyes, he was still smiling.

His was a gallant spirit, and he wore the white flower of a blameless life with a certain unconscious audacity. He had the courage of a man who has found nothing in himself to fear; for there was profound truth in the maxim of the mother who said to her timid children, "You will meet nothing in life more terrible than yourselves." What impressed most deeply those who knew this gallant spirit was that he not only asked no concessions on account of his suffering, but plucked from it a more spirited activity, a keener devotion to his work. At a time when so much baseness and meanness find record in the newspapers, a career of pain drained of its egotism and turned into motive force, and of death faced with a smile, increases the spiritual capital of the race.

Such a career needs no other memorial

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

than its reflection in the memory of those who knew it, but word ought to be passed down the line that another soldier died face forward and with a smile. Society needs every reinforcement of its faith in men; so many are its disappointments, so manifold its disillusions, so great the clamor of those who accuse life of unfairness and arraign the order of things as the source of their misfortunes. Those who expect a weak and demoralizing Providence to feed and shelter them as a matter of obligation cry out against the hardness of fate when they are compelled to support themselves. Those who reap the harvests of the seeds they have sown, and find them bitter, turn cynics and rail at the misery of the world. Those to whom suffering has been allotted as their share in the education of life turn their thoughts on themselves and become the egotists of pain, instead of binding the burden on their backs and walking with a more erect figure and a quicker step. Those to whom failure comes hold themselves injured and aggrieved, instead of accepting the discipline which is the beneficent purpose hidden in every disappointment.

Society is full of men and women who wear pain and misfortune as garments which appeal to sympathy, instead of bearing these burdens as a soldier wears on his back the pack which is the sign of his profession. The experience which, intelligently met, would make them more thoughtful of others turns their thoughts on themselves, and instead of becoming heroes they become egotists, and add to the depression of the world instead of reinforcing its courage and cheerfulness.

In its best estate and in its highest condition life is a fight, not a truce; a struggle, not an achievement; a growth, not a pleasure; a discipline, not a relaxation. The man who wins its real successes is not he who has the most perfect health, but he who bears disease and misfortune with silent courage and gains from them a more daring spirit; who meets failure as if it were veiled victory; who challenges death by ignoring its fearful aspect, tearing off its mask, and meeting it with a smile.

THE BATTLE OF SARATOGA

STAFF CORRESPONDENCE OF THE OUTLOOK

"WE have now come to the vital moment in this Convention." The place was the Convention hall at Saratoga, the time twenty minutes past two on the afternoon of Wednesday, September 28, the speaker Theodore Roosevelt. He had ascended the platform to close the debate on the one plank in the platform, presented by the Committee on Resolutions, upon which there was disagreement. The question which the Convention must decide before a half-hour should pass was whether the Republican party in New York State, in convention assembled, should indorse the principle of direct nominations or the principle of making nominations through the delegate and convention system.

For nearly two hours the debate had ebbed and flowed, and at that moment the fight seemed lost, the cause of direct nominations faced defeat. The delegates knew it, the men at the press tables knew it, the speaker on the platform knew it. But to him the knowledge, born of thirty years of political experience, brought no dismay. It only planted him a little more solidly on his feet, strung his muscles a little more tensely, clenched his fist a little tighter, and set him fighting with every ounce of strength and conviction and will that was in him. Defeat threatened his forces and the cause in which he believed with all his might. But the flag should not go down without a last charge worthy of the cause and worthy of the fighting record of him who was to make it.

The first words were uttered in a voice quiet but vibrant: "We have now come to the vital moment in this Convention."

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

And every man and woman in the hall knew that they were the truth. The second sentence set the issue clean cut as by a saber-stroke before the Convention: "By your votes you are to determine whether the Republican party in the State of New York is to be the party of progress or the party of the Bourbon and the reactionary." No question of details of legislation, no question of the expediency of this or that political device, no confused or complicated or doubtful problem. Just one fundamental, vital, searching question: Progress or reaction? Forward or back?

The issue stated, the speaker set himself to debate it. He first turned his attention to "one or two misapprehensions of fact" in the speeches of his opponents. In a moment the crisis came.

"An allusion has been made," said Mr. Roosevelt, "to the case of Congressman Sibley. Great sums were spent, and improperly spent, in securing the nomination of Congressman Sibley."

"They were spent in influencing a direct primary," he continued, and the next words were weighted with emphasis, "just as they would have been spent in influencing a convention."

The words were greeted with a storm of hisses and boos and sardonic laughter, with a counter undercurrent of applause. While the storm lasted, Mr. Roosevelt stood with uplifted arm and clenched fist, the blood suffusing his face as he quivered with anger. As the tumult subsided, he hurled at his opponents the challenge, "I'll give you a chance to express your dissent again." Then, fist and arm beating out the rhythm, he repeated: "Great sums of money were spent in influencing a direct primary, as they would have been spent in influencing a convention"—and the crowd was still.

By sheer force of personality, of conviction and moral fearlessness, he had beaten the hostile half of his audience into respectful silence. Like a flash he followed up the advantage with a thrust which turned the argument of his opponents against their own breasts. "The difference was," he continued, "that because it was a case of direct nominations, the expenditure was found out. The difference was that Mr. Sibley won't be a Congressman, whereas he would have been if they had not had direct nominations."

For the opposition it was the beginning of the end. One more blow, less dramatic in its delivery, but even more staggering in its effect, completed their discomfiture; and thereafter nearly every sentence that he spoke drew votes back into line upon the side of progress.

The minority report of the Committee on Credentials had been presented by Mr. James W. Wadsworth, the Speaker of the Assembly, and the supporters of the minority report based their opposition to the direct primary plank upon the fact that direct nominations had been three times defeated in the Legislature. "We thought," said Mr. Wadsworth, "that that question was settled."

Not so Mr. Roosevelt. "The gentlemen who present the minority report," said he, "say that they represent the Republican tradition. They represent a majority of the Legislature, composed of a majority of the Democratic members and a minority of the Republican members." When the Progressive forces had tired of shouting and clapping and stamping their approval, Mr. Roosevelt struck again:

"I ask that this Republican Convention of the State of New York put itself behind the Republican Governor of the State of New York and behind the majority of the Republican legislators of the State of New York, and that it do not put itself behind the minority of the Republican legislators plus Tammany Hall." It was a blow in their most vital spot, for your Regular prides himself on his party regularity, and is an unswerving upholder of majority rule.

Then came clear, forceful arguments, an appeal to reason and calm judgment, and finally an exhortation: "I ask you to put yourselves unequivocally on the side that says, We trust the people and believe that the people are competent to rule themselves instead of being obliged to be ruled by the decree of others. I ask you to stand for these principles because they are right. I ask you to stand for these principles because by so doing you back up the Republican Governor and the majority of the Republican Legis-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lature that met in the last session. And I ask you to do it because sooner or later you will have to do it, and because I wish to see you lead the march of progress and not be run over as you stand halting and shivering and then be forced to come on in the rear of the procession. Therefore, my friends, in the name of expediency and in the higher name of righteousness, I ask you to be loyal to the cause of popular government and support the principles embodied in the majority report before you."

Then the roll-call, and a victory for direct nominations by a majority of a hundred votes, the fruits of a single speech.

In the debate, of which Mr. Roosevelt's speech was the climax, the position of the two opposing forces on the direct nominations proposition was made perfectly clear. Mr. Wadsworth, in presenting the minority report, declared that direct nominations would bring about the destruction of the representative principle in party government, and asserted that the direct primary carried with it the danger of bringing about a pure democracy, not only in party affairs but in government itself. Mr. William Barnes, Jr., the "boss" of Albany County and the most prominent and irreconcilable of the Old Guard leaders, declared that, to listen to some of the speakers who favored the direct nominations plank, one would suppose that a citizen would have more rights under a system of direct nominations than he has now. This, he said, was probably true; but the citizen now has all the rights that he is entitled to. It is only a question of methods. Mr. Wadsworth's argument that the direct primary would be destructive of the principle of representative government was met by Mr. Seth Low, who reminded the Convention that the action of the American people in very promptly rendering the electoral college an empty form had not destroyed the principle of representative government in the selection of American Presidents. And the gulf between the Old Guard and the Progressive forces on the fundamental question at issue was pointed out by Mr. Roosevelt when he said: "My friends, the difference between us here is indeed radical. We trust the people, and you do not. It has been said openly by our opponents that they do not believe in a pure democracy. I do. I take issue fair and square on that point.

The conflict over the direct nominations plank in the platform was the most dramatic, but the contest over the Temporary Chairmanship was more fundamental in its importance. That contest, which ended on the floor of the Convention, was like a battle in which both armies maneuver for days, perhaps for weeks, and in which the final victory is determined, without a shot, by the success of one side in securing the strategically vital position. The contest began on August 16, when the State Committee indorsed Vice-President Sherman for the position of Temporary Chairman. It continued in the primaries and caucuses all over the State during the succeeding weeks, and ended at four o'clock on Tuesday afternoon when the roll-call was completed and Theodore Roosevelt had received 568 votes to 443 for James S. Sherman.

At Saratoga the curtain rose on the last act of the conflict on Monday when Mr. Roosevelt arrived from New York. At Troy his train had been besieged by a throng of people, and in response to their demand he said, with the glee of battle in his voice, "We're going up to beat them to a frazzle; remember the word frazzle." In the same spirit, when he reached Saratoga, standing on the balcony within the quadrangle of the United States Hotel, he said, with the characteristic break in his voice which often marks his humorous intention, "I'm not going to make a speech to-day. I'll make my speech to-morrow in the Convention." Vice-President Sherman had slipped quietly into the hotel earlier in the day, but later he returned to the station and came back at the head of a company of a hundred and fifty citizens of Utica, led by a band. From the band-stand in the center of the court Mr. Sherman addressed his faithful supporters. When their cheers had stopped, he said: "From surface indications, some of you would rather hear your own voices than mine. I am not one who has ever preferred his own voice to that of others. I shall not say that I will make a speech to-morrow in the Convention. But I will say that I will make a

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

speech to-morrow in the Convention if the majority want me to do so. I have always believed in the rule of the majority, which is my only boss."

There was just the difference. Mr. Roosevelt had a message to the Republican party in the State which he intended to deliver, as Temporary Chairman if the Convention selected him; but if not, as a plain delegate speaking from the floor. Mr. Sherman had no message for the Republicans of the State unless the Convention, by making him Temporary Chairman, imposed the duty of delivering a message upon him.

On Monday night the State Committee met, and, by practically the same vote as on August 16, reaffirmed the position which it took then. The majority in the State Committee, like the Old Guard in many another State, "stood pat." It remained for the delegates in the Convention, by their votes, to choose between the two ideas, the two platforms, the two conceptions of government, offered to them. The one was represented by a group of party leaders with whom the people of the State through long experience were thoroughly familiar. The other was embodied in one man, Theodore Roosevelt, whose platform had been laid down in full detail and with the utmost frankness in speeches from Osawatomie to Syracuse. There was no room for misunderstanding of the issue. And every delegate to the Convention had been selected at primaries held after the issue had been clearly drawn.

With matters standing so, the Convention met. The first business was to select a Temporary Chairman, usually a perfunctory matter, done in a moment. But this time that selection was symbolic of the choice which the Convention should make of the two roads open before the Republican party.

The Convention was called to order by Mr. Timothy L. Woodruff, the Chairman of the State Committee, who proceeded to present the choice of the Committee for Temporary Chairman. Mr. Woodruff's speech was an attempt to explain why the State Committee had preferred Mr. Sherman to Mr. Roosevelt. He declared that President Taft had deeply desired that the New York Convention should unequivocally indorse his Administration, and also that the President had been not only desirous but apprehensive. The Committee, therefore, or rather the leaders who controlled the majority of it, selected the Vice-President in order to insure the indorsement of the Administration of which he is a part. In closing, Mr. Woodruff read letters which passed between Mr. Roosevelt after the meeting of the Committee, which, said Mr. Woodruff, showed that Mr. Roosevelt's "opposition to the selection of Vice-President Sherman was not based on any personal grounds, but because he desired an opportunity to present his views as to the policies which should hereafter guide the destinies of the Republican party." But in the opinion of many of his hearers the correspondence showed much more than that. The last sentence of Mr. Roosevelt's letter read: "If the Vice-President is correctly reported as to his position, and if you agree with that position, you are only right in having him and not me make the speech." Upon this sentence, which made perfectly clear the grounds of the action of the State Committee and the grounds of the opposition to Mr. Sherman as Temporary Chairman on the part of the Progressive element in the Republican party in the State, delegates and spectators seized at once; and a chorus of "If"—"If"—"If" was hurled at Mr. Woodruff.

The nomination of Mr. Roosevelt for Temporary Chairmain was made by Mr. Hicks, of Nassau County, in the words, "In the spirit of that noble sentiment expressed half a century ago by Abraham Lincoln, 'With charity towards all and malice towards none,' I nominate the Honorable Theodore Roosevelt." The nomination of Mr. Sherman was seconded by Mr. Abraham Gruber, of New York, an old-line politician whose political philosophy and methods have been characterized more by regularity than by enlightenment. His speech was a mass of vindictive and malicious personalities. It so incensed those who heard it that Mr. Gruber was constantly interrupted by expressions of dissent and dissatisfaction and was hardly allowed to complete the speech, although Mr. Roosevelt rose to his feet and tried

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to stem the tide by an appeal for fair play. Mr. Roosevelt's nomination was seconded by Comptroller Prendergast, of New York City, who replied to some of the aspersions of the previous speaker and ended by repeating President Taft's estimate of Mr. Roosevelt uttered on March 2, 1909, and declaring that the Convention could well afford to prefer President Taft's estimate of Mr. Roosevelt to the "angry frothings of Mr. Barnes, the snarls of his critics of the press, or the animadversions of Mr. Gruber." A final speech by Mr. Job E. Hedges, of New York, which might be classed as political vaudeville, served to put the Convention in a good humor and somewhat to relieve the strain set up by the Gruber vilifications.

The vote upon the Temporary Chairmanship was taken, contrary to the usual custom, man by man, instead of by assembly districts, and the calling of the roll for the purpose required at least an hour and a half. Long before the roll was completed, however, the result was perfectly clear, and the only question that remained to be answered was how large the majority would be.

So ended the campaign between the Old Guard and the Progressives for the control of the Republican party in New York State. The Republican party in convention assembled had chosen the road it would tread, the leader it would follow.

Mr. Roosevelt was escorted to the Chair by Vice-President Sherman and Mr. Cornelius V. Collins, of Rensselaer County, and was gracefully presented to the Convention by the Vice-President. Standing erect behind the table on the platform, Mr. Roosevelt brought down the gavel with an emphasis which delighted the Convention, and cries from all directions of "the big stick" in turn brought a smile to his face. The Temporary Chairman's speech was a temperate and forceful restatement of his platform. It contained a hearty recognition of the accomplishments of Congress and the National Administration and of the New York Legislature and Governor Hughes. He said, as he has said before, that "we show ourselves the best servants of our party when, with all our might, we strive to make that party the best servant of the people as a whole." He declared that the party's first duty was to war against dishonesty in public life and in business ife. He said: "We are against corruption in politics, we are against corruption in business, and, above all, and with all our strength, we are against the degrading alliance of crooked business and crooked politics, the alliance which adds strength to the already powerful corrupt boss and to the already powerful corrupt head of big business, and which makes them in their dual capacity enemies against which every patriotic man should stand with unwavering firmness." He appealed for justice to the rich man as well as to the poor man, to the wage-earner as well as to the business man, to the corporation as well as to the private individual. In conclusion he called for the adoption of direct nominations in these words:

> Democracy means nothing unless the people rule. The rule of the boss is the negation of democracy. It is absolutely essential that the people should exercise self-control and self-mastery, and he is a foe to popular government who in any way causes them to lose such self-control and self-mastery whether from without or within. But it must be literally self-control and not control by outsiders. We should at once introduce in this State the system of direct nominations in the primaries, so that the people shall be able themselves to decide who the candidates shall be, instead of being limited merely to choosing between candidates with whose nominations they have had nothing to do.

This "keynote" speech was received with enthusiasm, although it was apparent that it was disappointing to some of his opponents who had feared (or hoped for) a more radical pronouncement. The speech was of a kind which recalls the emphatic comment of one of his hearers at the Syracuse State Fair a week or so ago: "The man who doesn't agree with that is a crook!" Which recalls in turn the remark of an old political district leader at Saratoga on the subject of the direct primary: "I don't understand this direct nominations business; but when I see so many crooks lined up against it, I'm for it."

The functions of the Temporary Chairman, aside from sounding the "keynote," are few. But rules remained to be adopted and committees to be appointed. In accordance with custom, the rules of the Assembly were proposed as the rules

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the Convention, whereupon the Speaker of the Assembly, Mr. Wadsworth, suggested an amendment making possible a minority report from a committee without unanimous consent. The spectacle of the Speaker of the Assembly asking for the modification of the rules of that body on the ground that they were not fair to the minority was not without its amusing side. But Mr. Griscom seconded his suggestion, and the amendment was carried, thus giving to the defeated Old Guard the opportunity which they used next day to debate and nearly to defeat the direct primary plank upon the floor of the Convention.

It was proposed that the Temporary Chairman appoint the three standing Committees. Here again the defeated minority, hating to take the medicine which they had so often administered in the past, entered its protest. They wished to have the committees appointed practically by the State Committee, which, in view of its composition, would have meant the control of the body which should prepare the platform by the forces which had been shown to be a minority in the Convention. The suggestion was naïve that the victors fresh from their triumph should generously hand over to the vanquished the fruits of victory. But it was firmly declined, and the committees were appointed by the Chairman, the most important committee, that on Resolutions, receiving a strong minority whose membership represented the best intellect of the Old Guard. The victorious forces were generous but not quixotic.

All night the Committee on Resolutions worked over the platform, and when it was presented the next day only one plank aroused dissent, with the results recorded above. On the second day of the Convention Senator Root was elected Permanent Chairman, and in a speech of splendid oratorical power and elegance sounded the keynote of harmony and party loyalty.

The selection of the candidate, Mr. Henry L. Stimson, was made practically without opposition, although Congressman Bennet, of New York, received a gratifying complimentary vote of 242. Mr. Stimson was put in nomination by Mr. Roosevelt, who recounted his services to the Federal Government in the prosecution of the Sugar Trust, and referred to his "truculent integrity" as the quality which had especially recommended him for the appointment as Federal Attorney. He said further:

> We have said on this platform that we stood for justice, that we would punish the corrupt man in public life and in business life alike, and that the highest social or political affiliations should not save the offender. Those have been our words and those have been Mr. Stimson's deeds. What we have said he has done. You can judge his future by his past.

So ended the greatest Convention in New York State in many a long year. It was notable for the interest of its sessions, for the spectacular nature of the conflict between two factions in the party, and for the resulting alignment of the Republican party in the State upon the side of Progressive principles. But it was even more notable as signaling the entrance into active service in the Republican party in New York State of the most powerful political leader in the country. The Convention was a convincing demonstration of the service which leadership may do in party government. The conflict in the Convention and for weeks previous was between two opposing principles, one represented by a group of local bosses, the other by a single leader; and in the end leadership was victorious and bossism defeated.

In his speech as Temporary Chairman, Mr. Roosevelt pointed out the difference between a leader and a boss. "The leader leads, the boss drives." The distinction is fundamental. Its application was made clear at Saratoga to any but eyes blinded by prejudice. The Convention at Saratoga was dominated by Theodore Roosevelt because a majority of the party in the State had chosen to follow his leadership. He controlled the Convention's action only because the majority of the delegates saw him pointing out the road which they believed it wise and right to follow, not because he was forcing them along the road he wanted to travel whether they did or not. The symbol of his mastery was not the whip of the slave-driver writhing its lash over their shrinking backs, but the blade of the leader flashing in the van its summons to the attack.

HAROLD J. HOWLAND.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE AMERICAN SENSE OF HUMOR

BY KATHARINE ROOF

THE American sense of humor has been a celebrated commodity ever since Americans were discovered by the English. While the term itself has been rendered somewhat shopworn by the purveyor of the ready-made phrase known in current slang as the "bromide," it is true that a certain quaint philosophical humor is as characteristically American as the naïve twist of the Irishman is Irish, the dry and often ghoulish jest of the Scotchman Scotch, and the sententious epigram French. All Englishmen have heard of this specifically American quality, although few recognize it in the actual encounter. They are liable, therefore, either to protest that it does not exist or to become amiably convulsed over the mildest jest under the impression that they are enjoying an example of this celebrated transatlantic humor.

It would be claiming too much to maintain that it is a universal possession. There are literal souls in America as elsewhere; the difference seems to lie in the fact that the humorless American, recognizing the National reputation (but not his own deficiency), will earnestly assure you that he can endure any lack in his fellow-man provided he has a sense of humor. Such an American is in the same class with those artless commentators upon life who ask you intensely if you do not enjoy "character study." In mental qualities, as in other things, that which we possess goes without saying.

This native wit of ours has been as characteristic, in a way, of the comments of the New England sea captain or the Yankee shopkeeper as of the sayings of Lowell, Holmes, or Mark Twain. It is of a quality subtle and unanalyzable; a thing that can play upon the surface of depths, that can assert itself in the face of disaster and apparent defeat. There is something fine and courageous in it aside from its charm as a mental quality. But how much of it will survive another generation of de-Americanization? How much of it do we find in the humor of the theater or newspaper, or in the utterances of the American citizen of to-day? On the other hand, we seem to have acquired a class of individuals whose so-called sense of humor takes the form of an uncouth flippancy, a type of mind that stares blankly in the face of the real article, and laughs noisily at the things that should command respect.

True American humor, while it may deal lightly with some ceremony or grave superstition in which the question of real veneration is not involved, contains no real irreverence. It is neither self-conscious nor flippant. Yet this brainless outgrowth of our National mental habit is quite opposite from the original quality in intention and effect. Because it is only the imitation of the mental attitude in a class of individuals of a cruder type and without the psychologic make-up that created it in the beginning, it has resulted in this clownish habit of laughter at things that should be seriously or reverently regarded.

The cause for this apparent change in the quality of the American mind lies in the fact that the type of the average citizen of to-day is different from that of a generation or two ago—more forceful perhaps in certain ways, but of coarser grain. The whole tendency in our country at present is toward abnormal growth and superficial development. Our civilization is upon a false basis, for material prosperity is easily achieved by only two classes among honest people—the man with business perspicacity and the manual laborer in needed industries. As to fraudulent schemes, America is probably more conducive to their success than any other country in the world. The rapid pace of things, the possibility of swift advancement to the uncultivated, combined with the theoretic ideal of equality, tend to induce superficiality. No one must feel inferior to his neighbor no matter how recent his sophistication, therefore the general desire is for effect, a surface grasp of a subject. Many magazines and newspapers pander to this desire, producing articles that will make people feel that they know about a subject upon

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which they could not possibly be informed without serious study or technical knowledge.

I once received the following instructions from the editor of a popular magazine who wanted an article upon a certain opera. "Do the story," he wrote, "so that the man or woman who never heard a grand opera or never heard of one before will read the story and leave it with a feeling that he knows *all about it!*" With this complacent and certainly far from honest mental condition receiving every encouragement, the ability to think is atrophied and the finer attributes, including humor—which can exist in the most uneducated mind provided it does its own thinking—must cease to exist.

Also the tremendous influx of Continental foreigners—the raw and often the waste material of the countries they come from—into a democracy, English-speaking and founded upon Anglo-Saxon morality, is a powerful factor in the creation of a new type. This second-generation product, evolved from our polyglot population, is actually a very different being mentally from the native American—inevitably with so different an inheritance and home environment. And among other changes a perversion of the idea of humor occurs when the American mental habit is grafted upon minds of a different color. Yet these second-generation citizens (a weed-like growth essentially un-American), owing to their adaptability to the needs of the country, are provided with a liberal amount of spending money considered relatively to their requirements, and are all literate, thanks to our public schools. They assist to support public amusements therefore, and so have come to affect the character of popular entertainments of the kind where supply and demand were formerly regulated by a more enlightened class.

We judge a people's taste in humor by its amusements—that is, the theaters they patronize, the magazines and newspapers they read—especially the Sunday editions. The newspapers, in their editorials, their comic supplements, their selected anecdotes, their manner of serving up the news, are enormously important factors in the development of this undesirable flippancy which has no relation to real humor; certain newspapers have acquired a reputation for wit which they endeavor to live up to, but they only succeed—save for an exceptional editorial now and then—in producing a labored and heavy flippancy. On the whole, the effect of the papers upon the uncultured and unthinking classes who are influenced by them would seem to be to induce and exaggerate two equally undermining qualities—a sickly false sentiment and a flippant attitude toward the real issues of life. It is upon his manipulation of these two elements that the lawyer of a certain class depends to affect his jury.

It is a well-known fact that New York taste controls the character of the theatrical entertainment for the country. The quality of the New York theater audience, then, becomes a matter of moment. Of what is it composed? There is our friend, the Tired Business Man, who, we are told, only wants to be amused, and is anxious, therefore, for a laugh in or out of season when he goes to the theater. It is undeniable that the tremendous condensation of New York life, with its tendency to focus and concentrate this man's mind upon business at the expense of all else, tends to make him less open to other impressions than his predecessor, the American of the last generation. Also a large percentage of the business men of New York are not native Americans, or even of Anglo-Saxon extraction, so that their sense of humor, if they have one, is certainly not American. The intelligent class is, of course, in the minority in any country. But, admitting that fact, it is discouraging to realize that the majority of individuals supporting public entertainments in the large American cities are of this imperfectly evolved type, of no distinctive nationality, born of the forcing-house conditions of American life. Indeed, one is sometimes tempted to feel that our brave democracy is becoming primarily a forcing-house for weeds.

To put the matter in a nutshell, in New York individuals with a moving-picture-show intelligence can afford the price of orchestra chairs in a Broadway theater. They do not constitute the entire audience, but their class is so large numerically that they affect, if they do not control, the success or failure of a

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

play as well as the circulation of a Sunday paper and of a large class of magazines. For all these things are a question of supply and demand, are what is known as a "business proposition." The theatrical manager aims to fill his house; the majority of magazines and newspapers, bent upon circulation, avoid publishing matter that would displease uncultivated readers through being incomprehensible to them. Therefore the standard has become both lowered and cheapened. Probably in no other country in the world are the representative theaters run upon the basis of pleasing the lowest intellectual grade of their patrons.

Of all the various forms of deterioration resulting from this substitution of the business basis for other standards, none is more lamentable than this peculiar form of demoralization that has occurred in the realm of humor.

This condition is most noticeable in the theater when the play is one designed to appeal to a more mature taste than the average production caters to. In the vaudeville entertainments and farces the jokes have become almost as physical in character as those of the Continental theaters where the height of humor is represented by some accident to or attack upon the person. But it is in the inept, mistaken mirth of the New York audience that the lowest ebb of intelligence is betrayed, and it is disconcerting to the veritable American to see these clownish misconceptions pass as illustrations of the American sense of humor.

It is not possible to attend a play where some neighbor is not audibly following the movements of the players—"He looks out of the window," "She sees him," etc., etc.—or slyly anticipating the obvious *dénouement*. It is not surprising, therefore, that the really humorous point should escape recognition or that situations of serious meaning should be received with irrelevant and irreverent laughter.

The manner in which Eugene Walter's play "The Easiest Way" was received was inexpressibly shocking. This drama makes an attempt to treat frankly certain unpleasant conditions existing in New York, and especially in the theatrical world. The situation, by the way, of a theater making capital out of its own depravity is sufficiently curious. But more depressing to the thoughtful observer than the play itself was the spectacle of the audience receiving the painful revelations of the inner workings of these things with peals of laughter. The truth of the matter probably is that minds trained in the grooves of vaudeville and melodrama do not work upon the material offered them, with the result that any striking line or situation not labeled in large type as a noble sentiment or a tearful appeal jars a laugh from them. Melodrama leads them to expect the whitewashing of wedlock as the logical end of "The Easiest Way." This will legitimize the naughty jokes (that is to say, lines full of sickening and sordid tragedy), so meantime, with a conscience at rest, they feel at liberty to enjoy what they conceive to be the comedy passages. When, however, the young man repudiates the weakly vicious girl in the end, and she puts on a picture hat and starts for "Rector's," puzzled looks are to be observed upon many features. Applause was faint when the curtain dropped; the mental state was evidently that of confusion; for to this class of mind the actors exist as so many real people, "horrid" or "lovely," to be hated or admired. What kind of girl (this naïve mind may be conceived as asking itself) was this, anyway? She had seemed to be the heroine. Was she the villainess, after all? Yet, confusing as it proved, it was still sufficiently amusing and harrowing to be set down as a "good show."

Does this mean that the individuals who make up the audience have no standards, no ideals, that they can laugh at revelations of degradation and vice? So far as the majority is concerned, that is unlikely. It is rather that they go to the theater to laugh or to weep and not to think, and that, in short, not thinking, they fail to apply their life standards to the mimic world of the playhouse.

To the mind educated in vaudeville certain things are an invariable cue for laughter: drunkenness (either in life or in the theater), the desperate spinster, the woman who lies about her age, the gay deceiver husband, the mother-in-law, the perception that some one has "got left," but most of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

all, the predicament. All of these mirth-provoking subjects are equally present in the funny papers. Many of them are common to all countries. Marital infidelity is, however, much more heavily coated with sugar in the American than in the French farce, and the happy ending is invariably conceded to Anglo-Saxon standards. But the conception of a joke that is peculiarly characteristic of this perverted form of American humor is the predicament! No matter how tragic the issue, the sight of any one driven to the wall, oppressed by the situation, is something that, to the common mind, can have been devised for no other purpose than that of amusement. This state of mind may be observed in an idle New York crowd watching a minor accident, but in general in a theater it may be set down to the application of vaudeville standards to all things seen in a playhouse.

A most extraordinary example of this attitude on the part of an audience was shown in their reception of Du Maurier's play "An Englishman's Home," the play that convulsed all England with a wave of patriotism.

The current excuse for the failure of this play in New York was that it was too essentially English for an American public. This, however, was not the case, for its drama is of the kind that is universal. Its moving quality lay in the contrast—developed in scenes of heartrending realism—between the humane life of peace and domesticity brought suddenly face to face with the cruel machinery of cold-blooded modern warfare. The audience was disposed to take it as comedy with an occasional touch of broad farce, especially at the end, when the peace-bred old Englishman, left alone amid the ruins of his home, with the shots of the enemy falling about him, catches up his musket to defend his home and does not know how to set it—a situation so poignantly significant of the life of peace. His desperate attempts to load and work his weapon were received with shrieks of laughter. It was a predicament, therefore a joke. When, in the concentration of despair, he finally mastered the mechanism, set, and discharged it, killing his man, there was mingled laughter and applause, "Smart old boy," "Good work," etc., probably represented the state of mind of the laughers. The enemy was not killed within sight of the audience, therefore the joke was not spoiled. But when it came to pass that the old man must pay the penalty with his life, when they saw him carried off to be shot, there was a puzzled cessation of mirth and they were obviously at a loss for the point. Again, in a preceding scene, in the midst of the battle, when a young girl, stunned into vacancy by the suddenness and awfulness of the tragedy, is sent for water for a dying soldier, she goes out repeating mechanically, "A cloth and a basin of water, a cloth and a basin of water"—one of the many striking pieces of psychologic realism of which the piece was full—the audience was convulsed with mirth, repetition of a phrase being another label of the joke.

Almost as universally humorous as the joke of the predicament is the one-on-her (or him) idea. In the theater all retorts, no matter how bitter, tragic, or heartbroken their character, are regarded as repartee designed to call forth mirth. In "The Great Divide," when the woman who has been trapped into marriage says to the man who has literally bought her and is seeking to win her love with gifts, "I see, my price has risen!" ripples of mirth were heard all over the house. One woman near me gave a piercing shriek of joy. Before Mrs. Fiske undertook to compromise with existing conditions to the extent of producing plays with some of the universal appeal of melodrama (such as "Salvation Nell" and "Leah Kleshna") her performances were peculiarly liable to provoke this misapprehending mirth. I have often heard people speculate upon the cause, as if it were some peculiar misfortune that attended the steps of this actress. But the explanation is perfectly simple. It is merely that Mrs. Fiske's plays were for the most part of a class that is over the heads of a large proportion of her audience. Therefore both the character of the lines and her way of delivering them—in the natural manner of speech, and without the labeling emphasis employed by the popular second-rate actor—caused the point to elude the naïve majority. One of Mrs. Fiske's most interesting parts in an earlier play—"Love Finds the Way"—was that of a crippled girl whose nature had be-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

come warped by her misfortunes added to an unsympathetic environment. The girl's retorts made in pathetic bitterness of spirit were received with hilarious delight by the audience, who evidently labored under the impression that she was "getting back at" her companion. "She gives as good as she takes," a woman behind me observed gleefully.

When the pathetic, unattractive little miniature painter, the most convincing figure in Miss Crothers's play "A Man's World," is asked by a friend why she has never married, and replies with bowed head, "No one ever asked me," it was evident that the audience was perfectly captivated by the joke.

Another curious example of this degenerate impulse to laugh was exhibited by the New York audience at "Mme. X." This melodrama—in spite of the deliberate infusion of the kind of farce that one had supposed was out of date even in the Bowery theater—contained some real drama in the relation of the two principal characters, and was the vehicle of some very remarkable acting on the part of their interpreters—Dorothy Donnelly and a young actor by the name of Elliot. So direct and highly colored was the appeal of this play that it would seem as if it must have carried to the crudest intelligence, yet, at the moment that the dying mother embraces the son from whom she has been separated since babyhood, a large part of the audience were laughing—not hysterical laughter, for it was mingled with stupid jokes and comments. The essence of the joke, as nearly as one could make it out, seemed to lie in the incongruity of the actors' costumes, the mother in the tragically realistic rags of the pavement, the youth in the fastidiously tailored garments of the hero of the stage and the magazine illustration.

Another curious phase of the idea of humor in the type of mind under discussion is the kind of thing that seems to constitute the laugh in Bernard Shaw's satiric comedies. In these situations exploiting his characteristic theories of the pursuit of man by woman, the entire sense of the situation seems to lie in the desperate spinster and the one-on-her (or him—principally on her) idea. It is quite conceivable, too, that the effect of these plays upon the crude young men who attend them may be to destroy what sense of chivalry they might otherwise possess, for the result of their mental inability to comprehend satiric treatment seems inevitably to be a clumsy, unchivalrous reflection of the author's scintillating incivilities.

Even the audience at the cheap melodrama shows evidences of becoming tainted with this sophistication of flippancy. They can laugh now at the dying repentant villain and the innocent child depositing violets upon his bier. A few years ago this could not have happened. Perhaps this is one reason for the decline in popularity of that class of entertainment, which is now quite superseded by the moving-picture show and the cheap vaudeville.

If these things only signified a deterioration in the art of the theater it would be serious enough; but unfortunately there is much evidence to prove that it indicates among a fairly large class of people a deterioration of the standards that regulate life. It is an undeniable fact that the country contains a class of individuals who have acquired false standards founded upon this very combination of false sentiment and flippancy encouraged by the theaters and newspapers. The case is the same whether they are inattentive shop-girls, indifferent waiters, incompetent plumbers, or rich idlers of the class that live in hotels and shoot around in motors from one restaurant, one "show," to another, with apparently no homes, no roots, anywhere. These people not only regard lightly and coarsely most of the facts of life, but even that of death itself. Seriously considered, how shocking a thing it was to have such a phrase as "Remember the Maine" converted into popular slang!

The casual and indifferent attitude of a large class of chauffeurs and other case-hardened motorists toward loss of life is a very grave illustration of the case in point. Indeed, the whole condition of irresponsibility in the matter of accidents is allied to this perverted development of the idea of humor.

"That's one on me," remarked a switch-tender when, through his criminal inattentiveness to duty, one train was sent

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

crashing into another, a number of lives were lost and a score of people maimed. This particular switch-tender evaded arrest and punishment and was the life of a firemen's ball, according to report, less than a year later. No doubt he is making similar jokes still.

It is noticeable among a large class of the employed that their own blunders are regarded either as entertaining social material or as an excellent joke upon the recipient of the incompetent service. It is also evident that the amusing little blunder is never supposed to have any effect upon the size of the tip expected.

No doubt much of the carelessness characteristic of personal service in America, the universal slipshod indifference to obligation on the part of those holding responsible positions, might be laid at the door of this infection of flippancy which is in the air, and which is a degraded, immoral offshoot of the original American sense of humor.

It is an attitude that has come about understandably enough through our illogically achieved prosperity, a condition the very opposite of the oppressed poverty of the Russian peasant, which is reflected in their stolidity and seriousness. This abnormal prosperity of ours has its varying effect upon all classes—the native American, the immigrant, and the second-generation product that is neither American nor foreign. The result, a confusion of ideals, is the natural outcome of a situation where people are placed in an economic condition to which they are as yet unadapted.

We can only hope that this unhappy tendency is one of the inevitable defects of the transition stage, and that in another generation it will have been eradicated, whatever modifications the native type may have undergone by that time.

A FRENCH CIRCULATING LIBRARY

BY HAMILTON W. MABIE

THE Librairie Centrale is on the Rue de Nîmes in a widely known watering-place in southern France. It is a small affair, lodged in a small and very friendly shop, where books, postcards, stationery, and other necessary minor articles are sold at moderate prices. Madame sits by the door with a pleasant smile and word for every customer, and business becomes a matter of good manners and friendly feeling as well as of barter. The small shop is not only a profession in Europe; it is also an art. Many an American woman has confessed that the picture which Mrs. Alexander drew years ago in "Her Dearest Foe" has filled her with a desire to turn shopkeeper in worsteds, wools, and other soft, clean, refined materials; to be on pleasant, easy terms with the village people of all sorts and conditions; to pass through the glass door at the rear into the little parlor with its old-fashioned mahogany table in the center and its old-fashioned chairs around, where the ritual of afternoon tea is observed with religious regularity every day at five o'clock.

Such a shop in an old English town comes to mind as these words are written; sometimes the door at the rear is open and one gets a whiff of the sweet, gentle life of the two elderly gentlewomen who keep the shop, and whose relations with the neighborhood include the family at the Hall, one of the half-dozen great fourteenth-century houses still standing, the vicar of the beautiful fourteenth-century church whose square tower rises over the gardens and is an ancient haunt of birds, and those serene women of small means who make English villages wholesome and whose ways bring the fragrance of the quiet life with them. In such surroundings, in such an atmosphere of leisure, business is very small in amount, but very large in kindliness and respect. The hardness and vulgarity of trade divorced from honor and courtesy are as far away from these little

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

shops as easy divorce and cigarette-smoking are from the dear, old-fashioned women who keep them.

In a French town there is perhaps less intimacy of relation between the small shop and the community, but there is an ample margin of courtesy, which lines the inside of the cash drawer so that the francs fall noiselessly into their places. In a small and badly printed catalogue of this *Cabinet de Lecture* the books listed are only a few hundred, and they bear the marks of hard reading in spite of the italicized note on the cover: "*Les clients sont priés de prendre le plus grand soin possible des volumes qui leur sont confiés.*" These well-worn covers are probably trustworthy signs of the direction of French interest in fiction, and the list of titles in the catalogues is an interesting comment on the progress or retrogression of the novel in a country in which the writing of fiction has long been a fine art.

Victor Hugo is represented by twenty-seven numbers, and these numbers stand for very shabby volumes, although critical French people speak of the author of "Les Misérables" with a good deal of reservation in these days when the buoyancy and audacity of the early Romanticism have long been out of fashion. Those who read "Les Misérables" in youth will never rid themselves of the notion that Hugo was a tremendous force, whatever he may have been as an artist. The strain of Teutonic energy and of that sense of the vastness and gloom of things which may have been bred in the northern forest ages ago obscured the clarity of his intelligence and blurred the lines of his art, so that among his rivals of purely Latin temper he stands apart. His egotism tells against his permanent popularity, as does Carlyle's against the staying power of "Sartor Resartus." The Titans who disturb the world by their tremendous energy rarely set their work in clear light, after the manner of the Olympians; it is their lot to struggle in half-light. Carlyle was a much more magisterial figure in his time than Emerson; but Emerson is likely to outstay him. Hugo's tremendous force gave him a great vogue in his day, but he lacked the restraint and fine sense of proportion of the masters; his house in the Place des Vosges seems like a revolving mirror filled with distorted images of himself, so intense was his self-consciousness and so varied his power of expressing himself not only with his pen but with his pencil. The moment one begins to make these qualifications of Hugo's art, however, one recalls his beautiful lyric gift and makes reparation by classing him with the great French poets; though here also his critical French friends will not concur without reservation.

Balzac has only twelve numbers in the list, while Dumas has eighty! This is not surprising when one remembers the solidity of the work of the author of "Père Goriot"—its density, so to speak—and the lightness of texture of many of the stories of the author of "The Count of Monte Cristo." Balzac stands so securely on a foundation of solid achievement that the subsidence of the tide of popular interest is a small matter so far as his fame is concerned. In his case it is fame, and not, as in the case of many novelists, merely reputation. Reputation may slowly pass into fame, or, as generally happens, it may quietly evaporate and pass into a paragraph in a history of literature. The author of "Père Goriot," "Eugénie Grandet," the creator of that wonderful record of the French life of seventy years ago, the "Comédie Humaine," sometimes nods; he often assumed an occult knowledge of the signs of character; he sometimes made investigation do the work of insight; he was at times laboriously uninspired; but what command of the human drama he had, what delicate perceptions and gross instincts, what power of sentiment, and what a sense of the material values!

Balzac was a novelist by intention as well as by genius; Dumas was a born story-teller whose indifference to the art of fiction enabled him to conduct one of the most extensive writing syndicates in the history of literature. He was a kind of literary Briareus, and wrote with a hundred hands. As great an egotist as Hugo, he had also Hugo's industry. He was entirely at ease in the world; he took his pleasures where he found them, and they were of all sorts; he was an unblushing and unconscious Philistine of the unmoral type; he made great sums and spent

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

them lavishly; he knew all the tricks of his trade and practiced them without scruple; but what a master of the ancient art of story-telling he was! Mr. Lang is well within bounds when he calls him "Alexander the Great." He is beyond question the foremost spinner of yarns in the history of the world. He was never for a moment a moralist, as all the great novelists have been; he was an artist only in his most fortunate moments; but he had a genius for invention, for incident, for narrative, for characterization. There was something of the magician in him, as there was in Paganini; a kind of demoniac force—in a word, genius. This involves several serious limitations, which Dumas would have accepted with entire complacency; so long as people read his books the critics might hang him in effigy. As a matter of fact, they read him with avidity while they slaughtered him with gusto. "The Three Musketeers" is far and away the greatest story of adventure ever written, and its characterization is on a level with its narration. It has the brilliancy and rapidity of action of those fencing feats which it describes, in which the individual rapiers were lost in a whirl of steel. If the second half of "Monte Cristo" had been as closely knit and easily sustained as the first half, it would have been the eighth wonder of the world; but the rushing stream of invention subsides and spreads over dreary wastes of sand as it nears the end. In the region of pure wit Dumas will always remain one of the masters; his repartee had the flash and quickness of d'Artagnan's rapier, and touched the point as surely. Is there a more perfect retort on record than his answer to the question, "Monsieur, how do you grow old so gracefully?" "Madame, I give all my time to it"?

Eugène Sue is represented by seven titles, and "The Wandering Jew" is not among them; Octave Feuillet, whose "Romance of a Poor Young Man" most Americans who cared for romance read in the days of their youth, is credited with eight stories; while eleven numbers appear under the name of George Sand. One is glad to note that "Consuelo" and "The Countess of Rudolstadt," which were long regarded as the classic examples of the genius of Madame Dudevant, do not find places in the list, while the more spontaneous and characteristic novels appear to hold their own in general interest. George Sand seemed terribly demoralizing to our grandfathers, and she certainly was extremely frank and elemental in dealing with the passional side of life. But that was before the days of the Decadents, with their loathsome analyses of morbid eroticism and their repulsive perversions and distortions of the physical instincts. "Indiana" is not a desirable book to put into the hands of the young person, but it is innocence and health in comparison with some of those modern medical text-books in the form of fiction which have made sexual insanity familiar to the modern world. It is necessary to connect houses with sewers, but a good deal of recent fiction has connected sewers with houses. Lowell's suggestion that the old tavern sign, "Entertainment for man and beast," describes this kind of writing was a happy one, provided the emphasis is laid on the beast. George Sand was frank enough in all conscience, but her passional ardor was exuberant health compared with some of the tales of her successors. She had great natural gifts—imagination, sentiment, love of nature, eloquence.

Alfred de Musset, whose name is recalled whenever George Sand's is spoken, is represented by four titles; a little body of work of exquisite artistic quality in which the note of disillusion, of a youth striving to assuage the immortal thirst at the shallow springs whose approaches have always been trodden into mire by eager multitudes, is sounded with pathetic distinctness. There is nothing more tragical than a delicate and sensitive genius driven back on itself—the poet turned cynic. But what exquisite skill was his, and what a rare hand on the keys of speech!

To pass from de Musset to Zola, so far as art is concerned, is like passing from a garden to a forge. Ten novels stand below Zola's name on this list, and they include his most characteristic stories: "L'Assommoir," the most tremendous temperance tract ever written; "Nana," a merciless study of a woman steadily sinking into the mire; "La Terre," a picture of pastoral life as different from

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

George Sand's idyllic sketches of the French peasant as Teniers's tavern scenes are from Watteau's charming vignettes of out-of-door elegance and grace. By that curious confusion of ideas which prevails concerning morality in art, Zola was long held up before Americans as the most immoral writer of the last generation. Zola was, on the contrary, a thoroughgoing moralist of the sledge-hammer type. His sin was not immorality, but intolerable lack of reserve, the brutal frankness which the brutes would use if they could discuss their sexual relations. But, so far as binding effects to causes, the sin to the sinner, disease, misery, and death to the seeds which men sow, is concerned, Zola was a merciless and unflinching moralist of the type to whom the hospital and the morgue are the open schools where the terrible facts of life are relentlessly set forth. A man of tremendous industry, of tireless habits of work, of unflagging zeal in the search for the facts of life as he understood them, Zola would have been a great writer if art were to be compassed by the strain of the arm and the sweat of the brow. But art flies the forge, and Zola never, save in rare and disconnected moments, exchanged drudgery for the freedom of creative power. His tremendous earnestness and energy made him a powerful figure in his day, and his influence will long be felt; but the evening has already overtaken his reputation.

In lighter mood one reads the nine titles with which Cherbuliez is credited; a novelist of no great significance, but an adroit and skillful workman who could put a story together with the art that conceals art, and who knew his business to the last detail. "Samuel Brohl et Cie" was a capital piece of work, and in another novel—"Prosper Randoce," was it not?—there was a study of a certain type of Pole as interesting though less vitally conceived than some of Tourguenieff's studies of the same eloquent, inflated, voluble, and entirely ineffective Russian type—men who inflame their own imaginations and instinctively dramatize themselves.

Two Frenchwomen one day paid a visit to Madame Bernhardt. For an hour the actress was quiet, demure, somewhat reticent, and altogether charming. As they came away the younger said to the older, "Could any one have been more simple and delightful?" "No," was the response; "that was the most beautiful piece of acting we ever saw. She is not a character; she is a temperament." Pierre Loti, whose titles in the list run up to the goodly number of seventeen, is of temperament all compact; but it is temperament expressed in atmosphere. His view of life is the surface view; it is an impression, not a conviction. His mind is a sensitive plate which takes the color of any climate—of Japan or Iceland indifferently. But how skillfully he mixes his colors and tones his skies! If he is less subtle than Lafcadio Hearn, he has a kindred delicacy of description. His "Pêcheur d'Islande" is a wonderful piece of illusion; there is so little action and so much sea and sky in it.

Edmond About must content himself with four titles, among them the once widely read "Nose of a Notary;" but the "King of the Mountains" and "The Man with the Broken Ear," written in a style full of consideration for beginners in French, do not appear. The author of "The Nabob" holds his own, and one finds all his most characteristic stories except that collection of almost inimitable sketches "Letters from My Mill," the flower of his fine sensibility, of his quick fancy, of his sensitive artistic nature. No figure in the French literature of the last half-century is more fascinating than Daudet's, nor has the artistic temperament made any more naïve and winning confession than that which lies written in his books. The story of his coming to Paris, of the vicissitudes of his early days, and of his final success is one of the fairy tales of modern life. What he lacked in fiber and force he made up in charm, in humor, in his sensitive reading of the Parisian life of his time. No historian of the Third Empire will leave "Numa Roumestan" (which many people believe contains a portrait of Gambetta), "The Nabob," "Kings in Exile," and "Sappho" unread. "Jack" is full of hints of Dickens, and "L'Immortel" was a mistake; but "Tartarin" is one of the enduring achievements of French humor.

Guy de Maupassant contributes eleven

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

numbers to the list; an artist trained by the example of Flaubert, that tireless searcher for the one word predestined from the beginning to fit into a place which no other word could take, the master of the short story. In all fiction there is no pathos deeper than that which Maupassant puts into "The Necklace" and "A Piece of String;" in the whole range of biography there is no waste of talent more tragic than that of this exquisitely gifted nature shattered by insanity.

Among living writers the brilliant and eloquent Rostand finds ample recognition. "Cyrano de Bergerac," which not only stirred Paris to unwonted enthusiasm, but thrilled southern France, remains his most striking play; but "Chantecler" surpasses it in audacity. Who but Rostand would have dared dramatize a barnyard, and who but Rostand could hold a modern audience through four acts performed by cocks, hens, blackbirds, dogs, owls, rabbits, and other creatures of fur and feathers?—and yet the theater at the Porte St. Martin has seen more than two hundred performances of a play about which people have not yet made up their minds. It is surely a very uncommon drama which holds judgment suspended so long. It is, in fact, so incredible that nobody but Rostand could make you believe it, and so impossible that nobody but Rostand could force Paris to accept it. It is always on the verge of absurdity and always trembles on the edge of the ridiculous, but nobody laughs! It is brilliant, witty, eloquent. It may not be a work of art; it is certainly a marvelous feat of audacity and genius.

Anatole France, that keen observer of the reaction from idealism and faith in France, is credited with eleven titles; and Paul Bourget, who has become more and more a moralist as his study of life has borne the fruit of conviction, with twelve titles. France is an adroit and accomplished novelist who has had a long training in his craft but lacks depth of feeling, the intuition of sympathy, the vitality of moral insight. Bourget grows more serious but lacks spontaneity, and produces the impression of close work rather than of natural force and power. The point of view of France is made clear in "Cosmopolis," a painful and repellent story; that of Bourget in "Un Divorce," a study of relaxing views of marriage and of the divergence of position between the old order and the new. In a different way this is the theme of René Bazin, whose novels are rapidly gaining readers among Americans, and are well worth the attention of those who care for sane fiction written with sincere feeling and pervaded by the quiet charm of the French landscape. The author of that pathetic tale of a little group of nuns scattered by the recent law, "L'Isolée," and of "La Terre qui Meurt," in which the inevitable conflict between the old and the new is dramatically presented, has the reverence and tenderness of the man who knows life on its higher levels.

There are, of course, the very popular writers like "Gyp," who bravely bears off twenty-seven titles unabashed in the most distinguished company; and there are many names which are unknown to Americans outside the small circle of those who keep in touch with the minor French novelists. The humor of the collection is furnished by lists of "Traductions Anglaises" and a "Catalogue of English Romances" at the end of the little book. What would Mr. Aldrich think of "Le Crime de Stilwatre"? Dickens might be puzzled for a moment by "Le Magasin d'Antiquités." "Martin Chuzzelewit" would pray to be delivered from foreign proof-reading, and Scott would shrink from "Warverley." A title near the beginning of the list of "English Romances," "Random Shots," suggests the principle on which that extraordinary selection was made. The Catalogue is, in a way, one of the interesting books in the Librairie Centrale.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

POPULAR GOVERNMENT IN OREGON[1]

BY JONATHAN BOURNE, JR.

UNITED STATES SENATOR FROM OREGON

UNREST exists throughout the civilized world. People are speculating as to the causes. Daily uncertainty grows stronger as to future events. In my opinion, the basic cause is that people have lost confidence in many of their public servants and bitterly resent attempted dictatorship by would-be political bosses and representatives of special interests who desire to direct public servants and legislation for their own selfish interests rather than assist in the enactment of laws guaranteeing justice to all and special privileges to none.

Time was when a few self-constituted leaders in Oregon politics arrogated to themselves the prerogatives of government and made their assumption effective through illicit combinations and the use of money in any and every quarter where necessary to their purposes of control—that is, they commercialized conventions, legislatures, and the administrative branches of the city, county, and State government. It was not a condition peculiar to Oregon. It obtained, and I believe still obtains in a more or less flagrant degree, in every State in the Union; and it had its boldest, most unscrupulous executive genius in Boss Tweed, who, recognizing the opportunity of the crook in government by party through convention nominations, declared he did not care who elected the candidates so long as he had the power to nominate the ticket.

Revolting against these conditions, the State which I have the honor, in part, to represent, has evolved the best known system of popular government. Oregon in 1891 adopted the Australian ballot, which insures secrecy, prevents intimidation, and reduces the opportunity for bribery. This, of course, is a prerequisite to any form of popular government.

Supplementing the Australian ballot law, Oregon enacted in 1899 a registration law applying to general elections, and enlarged its scope in 1904 in the law creating a direct primary. This law requires registration prior to voting in either the general or the primary election, and provides that before voting in a party primary the voter must, under oath, register his party affiliation. Registration begins five months prior to the general election. Registration books are closed ten days prior to the primary election and opened again four days after the primary, and then kept open until about twenty days before the general election. A voter may register either by appearing at the office of the county clerk or by signing registration blanks before a notary public or justice of the peace. Upon the registration books are entered the full name of the voter, his registration number, date of registration, his occupation, age, nativity, date and place of naturalization, if any, and his place of residence. In order to guard against fraud, it is required that the voter shall give his street and number, and if he is not the head of the house he occupies, he must show that fact and give the number of the room he occupies and upon what floor of the building it is located. He must also sign the register, if he can write. If he is unable to write his name, the reason must be given. If his inability is due to a physical defect, the nature of the infirmity must be noted. If it is due to illiteracy, a physical description of the man must be noted in the register.

Any registered voter may be challenged and every non-registered voter is considered challenged. An unregistered person qualified as an elector may be permitted to vote upon signing an affidavit setting forth all the facts required in registration, and also securing the affidavits of six owners of real property to the effect that they personally know him and his residence and believe all his statements to be true.

Thus the greatest boon of American citizenship, namely, the right to participate in government, is protected, and dead

[1] This article is in large part the substance of a speech delivered by Senator Bourne in the United States Senate, May 5, 1910.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

men, repeaters, and non-residents can no longer be voted in Oregon.

Oregon's next step in popular government was the adoption of the initiative and referendum amendment to the Constitution, which amendment was adopted in June, 1902, by a vote of 62,024 to 5,668. It provides that legislative authority shall be vested in a Legislative Assembly, but that the people reserve to themselves the power to propose laws and amendments to the Constitution and to enact or reject the same at the polls independent of the Legislative Assembly, and also reserve power to approve or reject at the polls any act of the Legislature. An initiative petition must be signed by eight per cent of the legal voters, as shown by the vote for Supreme Judge at the last preceding general election, and filed with the Secretary of State not less than four months before the election. A referendum petition need be signed by only five per cent of the voters and filed with the Secretary of State within ninety days after final adjournment of the Legislature which passed the bill on which the referendum is demanded. The Legislature may itself refer to the people any act passed by it. The veto power of the Governor does not extend to any measure referred to the people.

In addition to the publicity incident to the circulation of the petitions, the law provides that the Secretary of State shall, at the expense of the State, mail to every registered voter in the State a printed pamphlet containing a true copy of the title and text of each measure to be submitted to the people, and the proponents and opponents of the law have the right to insert in said pamphlet, at the actual cost to themselves of paper and printing only, such arguments as they see fit to make. These pamphlets must be mailed not later than fifty-five days before a general election and twenty days before a special election.

The initiative develops the electorate, placing directly upon them the responsibility for legislation enacted under its provision; the referendum elevates the Legislature because of the possibility of its use in case of undesirable legislation. Brains, ideas, and argument, rather than money, intimidation, and log-rolling, govern the standards of legislation.

Since that amendment was adopted the people of Oregon have voted upon twenty-three measures submitted to them under the initiative, five submitted under the referendum, and four referred to the people by the Legislature. Nineteen measures were submitted at one election. That the people acted intelligently is evident from the fact that in no instance has there been general dissatisfaction with the result of the vote. The measures submitted presented almost every phase of legislation, and some of them were bills of considerable length.

Results attained under direct legislation in Oregon compare so favorably with the work of a legislative assembly that an effort to repeal the initiative and referendum would be overwhelmingly defeated. No effort has ever been attempted.

It has been asserted that the people will not study a large number of measures, but will vote in the affirmative, regardless of the merits of measures submitted. Experience in Oregon has disproved this, for the results show that the people have exercised discriminating judgment. They have enacted laws and have adopted Constitutional amendments in which they believed and have defeated those of which they did not approve.

I will give two concrete illustrations:

Under the initiative in 1904 a local option liquor law was adopted by a vote of 43,316 to 40,194. Two years later the opponents of the local option law proposed an amendment in their interest, and this was defeated by a vote of 35,297 to 45,144. It will be noticed that in the first instance the issue was affirmatively presented and in the second instance negatively, with a view to befogging the people, but the popular expression was the same in both.

For many years city charters in Oregon had been made the trading stock of political factions in the Legislature. The dominant faction amended city charters as a reward to political allies. Traffic in local legislation even went so far that it sometimes served as a consideration in election of United States Senators. But, in 1906, having tired of this disregard of the interest of good municipal government, the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

people, acting under the initiative, adopted a Constitutional amendment which took away from the Legislature the power to enact or amend a city charter and vested that power in the people of the municipalities, thus establishing home rule. The amendment was adopted by a vote of 52,567 to 19,852.

In Oregon, as in many other States, there has long been a feeling that certain classes of corporations which own very little tangible property do not bear their proper share of the burden of taxation. Legislatures failed to provide a remedy. For the purpose of securing a more equitable distribution of the burden of taxation the State Grange, proceeding under the initiative, proposed a law levying a gross earnings tax of 3 per cent on sleeping car, refrigerator car, and oil car companies, which measure was adopted by a vote of 69,635 to 6,441. The Grange also proposed a similar law levying a gross earnings tax of 3 per cent on express and 2 per cent on telephone and telegraph companies, and it was adopted by a vote of 70,872 to 6,360. Each of these gross earnings tax laws applied only to intra-State business. That the people can and will study measures and vote with discrimination is shown by the record upon two appropriation bills passed by the Legislature of 1907. One of these bills proposed to increase the annual fixed appropriation for the State University from $47,500 to $125,000. The other bill appropriated $100,000 for construction of armories for the National Guard. The referendum was demanded upon both measures, and both were submitted to a vote of the people at the general election in 1908. There was full and fair discussion through the press, at public meetings, and at sessions of the Grange. The bill increasing the appropriation for the University was approved by the people by a vote of 44,115 to 40,535. The armory appropriation bill was defeated by a vote of 33,507 to 54,848.

Anticipating the objection that direct legislation is expensive to the State, I will say that the submission of a total of thirty-two measures at three different elections in Oregon has cost the State $25,000, or an average of about $781 for each measure. I have no hesitancy in saying that the people of Oregon feel satisfied that they have received full value for the $25,000 they have spent for the submission of measures under the initiative and referendum.

The people are not only intelligent, but fair and honest. When the initiative and referendum was under consideration, it was freely predicted by enemies of popular government that the power would be abused, and that capitalists would not invest their money in a State where property would be subject to attacks of popular passion and temporary whims. Experience has exploded this argument. There has been no hasty or ill-advised legislation. The people act calmly and deliberately and with that spirit of fairness which always characterizes a body of men who earn their living and acquire their property by legitimate means. Corporations have not been held up and blackmailed by the people, as they often have been by legislators.

The next step after the adoption of the initiative and referendum was the adoption, in 1904, by a vote of 56,205 to 16,354, of a direct primary law which is designed to supersede the old and unsatisfactory convention system. The Oregon direct primary law provides for a primary election to be held forty-five days prior to the general election at the usual polling-places and with the usual three election judges and three clerks in charge, appointed by the county courts. Not more than two judges or clerks can be members of the same political party. Two sets of ballots are provided, one for the Democratic party and one for the Republican party. Any party polling twenty-five per cent of the vote at the previous election is brought under the provisions of the direct primary law, but thus far only the Democratic and Republican parties are affected by it.

Any legal voter may become a candidate in the primaries for nomination for any office by filing a petition signed by a certain per cent of the voters of his party. If the nomination is for a municipal or county office, the petition must include registered electors residing in at least one-fifth of the voting precincts of the county, municipality, or district. If it be a State

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

or district office and the district comprises more than one county, the petition must include electors residing in each of at least one-eighth of the precincts in at least two counties in the district. If it be an office to be voted for in the State at large, the petition must include electors residing in each of at least one-tenth of the precincts in each of at least seven counties of the State. If it be an office to be voted for in a Congressional district, the petition must include electors residing in at least one-tenth of the precincts in each of at least one-fourth of the counties in the district. The number of signers required is at least two per cent of the party vote in the electoral district, but not more than 1,000 signers are required for a State or Congressional office nor more than 500 in any other case. Petitions must be filed for a State or district office at least twenty days before the primary election, and for county or municipal offices fifteen days before the election. Names of the candidates are arranged on the ballots in alphabetical order. The ballot for the Republican party is printed on white paper; that for the Democratic party on blue paper; and that for any other party on yellow paper. The Australian ballot form is used in the primaries. No elector is qualified to vote at a party primary election unless he has registered and designated, under oath, his party affiliation, except that he may register at the polls on election day by filing an affidavit, verified by six freeholders of his precinct certifying to his legal qualifications, in which affidavit he must also designate his party affiliation.

No voter is required to designate his party affiliation in order to vote at the general election, but registration of party affiliation is a prerequisite to participation in a party primary. This requirement prevents the participation of members of one party in the primaries of another party. The right of each party to choose its own candidates is thus protected, and an evil all too common where restrictive party primary laws are not in force is avoided.

Our direct primary law further provides that the candidate in his petition shall, among other things, agree to "accept the nomination and will not withdraw;" and, if elected, "will qualify as an officer," implying, of course, that he will also serve. Each candidate is entitled to have placed in his petition a statement in not to exceed one hundred words, and on the ballot, after his name, a legend in not to exceed twelve words, setting forth any measures or principles he especially advocates.

In the case of a legislator's nomination, the candidate may, in addition to his statement, not exceeding one hundred words specifying measures and principles he advocates, also subscribe to one of two statements, but if he does not so subscribe he shall not on that account be debarred from the ballot. It will be seen, therefore, that three courses are open to him. He may subscribe to Statement No. 1, as follows:

> I further state to the people of Oregon, as well as to the people of my legislative district, that during my term of office I shall always vote for that candidate for United States Senator in Congress who has received the highest number of the people's votes for that position at the general election next preceding the election of a Senator in Congress without regard to my individual preference.

Or he may subscribe to Statement No. 2, as follows:

> During my term of office I shall consider the vote of the people for United States Senator in Congress as nothing more than a recommendation which I shall be at liberty to wholly disregard if the reason for doing so seems to me to be sufficient.

Or he may be perfectly silent on the election of United States Senator. It is entirely optional with the candidate.

The law further provides that United States Senators may be nominated by their respective parties in the party primaries, and the candidate receiving the greatest number of votes thereby becomes the party nominee. Then, in the general election the party nominees are voted for by the people, and the individual receiving the greatest number of votes in the general election thereby becomes the people's choice for United States Senator.

Notwithstanding that our primary election law embodying these statements, particularly Statement No. 1, was passed by a popular vote of approximately 56,000 for to 16,000 against, the oppo-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nents of the law charged that the people did not know what they were doing when they voted for it. Therefore the advocates of the election of Senators by the people and of the enforcement of Statement No. 1 submitted to the people under the initiative in 1908 the following bill:

Be it enacted by the people of the State of Oregon:

Section 1. That we, the people of the State of Oregon, hereby instruct our Representatives and Senators in our Legislative Assembly, as such officers, to vote for and elect the candidates for United States Senators from this State who receive the highest number of votes at our general elections.

Although there was no organized campaign made for the adoption of this bill other than the argument accompanying its submission, while the opponents of the primary law assailed it vehemently, the basic principle of Statement No. 1 and the election of United States Senators by the people were again indorsed by the passage of the bill by a popular vote of 69,668 for it to 21,162 against it, or by nearly three and one-half to one.

I may here give a concrete illustration of this law's operation. Both my colleague, Senator Chamberlain, and myself were selected by the people and elected by the Legislature under the provision of this Act. Opponents of popular government, and especially of the election of United States Senators by a direct vote of the people, have bitterly assailed Statement No. 1 of our law because a Legislature overwhelmingly Republican elected my colleague, who was a candidate selected by the Democratic party and nominated by the whole electorate of the State as the people's choice of our State for United States Senator. Upon reflection I think every intelligent man who is honest with himself must concede that this fact, instead of being the basis of a criticism, is the highest kind of evidence as to the efficacy of the law, and every advocate of the election of United States Senators by a popular vote must realize that Oregon has evolved a plan, through its Statement No. 1, provision of its primary law, wherein, in effect, the people enjoy the privilege of selecting their United States Senators, and, through the crystallization of public opinion, the legislative ratification of their action.

The Oregon Legislature consists of ninety members, thirty in the Senate and sixty in the House, forty-six making the necessary majority on full attendance for the election of United States Senator. Fifty-one members out of ninety of the Legislature which elected my colleague, Senator Chamberlain, were subscribers to Statement No. 1, making on joint ballot a majority of six out of a total of ninety members. All of these fifty-one members subscribed to Statement No. 1 pledge voluntarily, and it was so subscribed to by them from a personal belief in the desirability of the popular election of United States Senators and for the purpose of securing for themselves from the electorate preferment in the election to the office sought; the consideration in exchange for such preferment was to be by them, as the legally constituted representatives of the electorate in their behalf, the perfunctory confirmation of the people's selection of United States Senator as that choice might be ascertained under the provisions of the same law by which the legislators themselves secured nomination to office.

To further illuminate the situation, I will state that in the primaries held in April, 1908, H. M. Cake received the Republican nomination for United States Senator, and my colleague, Senator Chamberlain, then Governor of the State, received the Democratic nomination for United States Senator. At the general election in June Senator Chamberlain defeated Mr. Cake, notwithstanding the State was overwhelmingly Republican, thereby developing from the Democratic candidate into the people's choice for United States Senator. The normal Republican majority in Oregon, I think, is from 15,000 to 20,000. With full recognition of Governor Chamberlain's ability and fitness for the office, the fact that for nearly six years he made the best Governor Oregon ever had, and considering that undoubtedly he is the most popular man in our State, I deem it but just to the law, and a proper answer to the criticism of enemies of the law that it destroys party lines and integrity, to state that, in my opinion, Senator Chamberlain received the votes of several thousand

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Republican enemies of the law, who believed that in selecting Governor Chamberlain, a Democrat, they would prevent a Republican Legislature from ratifying the people's selection, obeying the people's instructions, and electing as United States Senator the individual, regardless of party, that the people might select for that office. Thus they hoped to make the primary law and Statement No. 1 odious, and sought to create what they thought would be an impossible condition by forcing upon a Republican Legislature for confirmation the popularly designated Democratic candidate for the United States Senate. They failed to realize that, greater than party, and infinitely greater than any individual, the people's choice becomes a representative of the principle and of the law; that the intelligence and integrity of the whole electorate of the State, as well as the integrity and loyalty of the members of the Legislature, were at stake, and from any honorable view-point not only would the mere intimation of the possibility of the Legislature, or any member of the Legislature, failing conscientiously to fulfill his pledge or loyally to obey the instruction of the people be an insult to the individual members of the Legislature, but it would also be an insult to the intelligence, independence, and patriotism of the Oregon electorate to intimate that they would permit such action to go unnoticed or without holding the culprit to a rigid responsibility for his treason.

No oath could be more sacred in honor, no contract more binding, no mutual consideration more definite, than is contained in this Statement No. 1 pledge, and no parties to a contract could be of more consequence to government and society than the electorate upon the one side and its servants upon the other. Under the United States Constitution there can be no penalty attached to the law. The legislator breaking his sacred pledge cannot be imprisoned or fined, hence he is doubly bound by honor to redeem his voluntary obligations. Yet there were efforts made to dishonor our State and our public servants. But, although the greatest possible strain was placed upon our law, to the credit of the fifty-one subscribers of Statement No. 1 in that Legislature be it said that every one of those subscribers voted in accordance with his solemn obligation. But, notwithstanding the people of the State had passed under the initiative the bill I have referred to instructing all the members of the Legislature to vote for the people's choice for United States Senator, not a single member of the Legislature obeyed said instructions except the Statement No. 1 subscribers.

The returns from a primary election are canvassed in the same manner as the returns from a general election, and the candidate receiving the highest vote for each office is declared the nominee of his party. Candidates of parties other than those polling twenty-five per cent of the total vote of the State may be nominated without participating in the direct primary, but by means of petition or mass-meeting. No candidate nominated otherwise than in the direct primary can use either the word "Republican" or "Democrat" in any form; that is, the nominees of the direct primary are entitled to the party designation in the general election, and no opposition candidate can designate himself as an "Independent Republican" or "Progressive Republican," or use any other qualifying term which includes the word "Republican" or "Democrat." These provisions secure to the nominees of the direct primary the exclusive right to their party designation on the ballot in the general election. Each candidate in the direct primary is entitled to have placed in his petition for nomination a statement containing not to exceed one hundred words, and on the ballot in the primary and general election a legend of not more than twelve words, specifying any measures or principles he especially advocates.

In my opinion, the direct primary is the only practicable method of fully securing to the people their right to choose their public servants. Under the convention system the members of a party delegate their power of selection of candidates to the members of a convention. To my mind this system is most pernicious, because the party electorate feels that its responsibility ceases with the selection of its convention delegates. Hence the responsibility of citizenship is weakened and shiftlessness encouraged. As soon as the delegates to the convention are chosen, the power of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

selection of public servants becomes centralized in a few, and opportunity is extended to individuals and interests who wish to use public servants for selfish or ulterior purposes. Influences adverse to the general welfare are immediately brought to bear upon this body of delegates. Factions are created, combinations effected, and party disruption frequently results. Often a convention nominates a man for public office who, prior to the convention, was never seriously considered as a probable nominee.

Let us look at the system in vogue in the selection of delegates. In most cases where convention nominations are made we can trace back to the political boss and machine the preparation of a slate of delegates. In the selection of the individuals composing the slate the political boss has in mind the perpetuation of his own power, and selects individuals whose interests are identical with his or whom he thinks he can direct and control, though occasionally, if anticipating a struggle, he will select a few men whose standing in the community will bring strength to the slate he has prepared in order to carry out his purposes. Independent men are selected only where it is deemed necessary by the political boss to deceive the public and secure sufficient support from the personal influence of those few selections to carry through the slate, made up chiefly of his willing tools. This system prevails not only in selection of delegates to county conventions, but in selection of delegates to Congressional, State, and National conventions as well. The result is inevitable that the delegates nominate candidates whom the machine and political bosses desire, except in rare cases where a few independent men are able, by presentation of arguments against the qualifications of a machine candidate, to demonstrate to the convention the probability of the defeat of the man slated for the position.

How different in its operation is the direct primary. The man who seeks a nomination under the direct primary system must present before the members of his party the policies and principles by which he will be governed if nominated and elected. He must submit to them his past record in public and private life. Promises made to political bosses or machine managers will have no beneficial influence in determining the result, and therefore the candidate is not tempted to place himself under obligations to any interests adverse to those of the general public. The members of a party have it within their power to determine which of the candidates best represents their ideas and wishes. After they have made their selections the candidates of opposing parties must stand before the people at the general election, when a choice will be made between them. A public servant thus chosen owes his election to no faction, machine, or boss, but to the members of his party and the electorate of his State or district. He is accountable to them alone for his conduct in office, and has, therefore, every incentive to render the best possible public service.

The direct primary encourages the people of the country to study public questions and to observe and pass judgment upon the acts of their public officials. This in itself tends very strongly to the building up of a better citizenship. Honest selections mean honest government and better public servants. Public servants who lack confidence in the intelligence or honesty of the people will find their feelings reciprocated.

Many claim that primary laws destroy party. In my opinion, they protect and cement parties. Party success depends, under primary laws, upon the ideas and principles advocated and the nominations made by the parties in their primaries. If a majority party fails to make proper nominations, or if the minority party has better material in its electorate, then a minority party would rapidly develop into a majority party, and rightly so. Under a direct primary law no individual can acquire a large personal following or build up a personal organization, except such a following as would support the individual on account of the principles advocated by him or the demonstration made by him as a public servant. But no man would be able to transfer such a following for or against another individual, though he might influence thousands or hundreds of thousands of voters to support his ideas, constructive suggestions, or proposed

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

solution of pending problems. This does not destroy party, but elevates and strengthens it.

For years the desirability of popular selection of candidates for President and Vice-President has grown upon my mind. By the adoption of such a plan, Presidents would be relieved of pre-nomination or pre-election obligations, except the obligation of good service to all the people. Thus accountability to the people alone would be established and aspirants for the Presidency would be free from the necessity of consulting the wishes of men who make and manipulate conventions. To render good public service would be the sole desire, for re-election would depend upon demonstration of capability and fitness for office. Because of this conviction I have arranged to submit, under the initiative, to the people of Oregon at the next general election a bill further enlarging the scope of our present primary law. It provides for the direct primary election of delegates to National conventions, selections of Presidential electors, and gives the opportunity to the elector in his party primary to express his preference for President and Vice-President. The declaration by each State of its choice for President would be in no sense a wider departure from the Constitution than was the transformation of the electoral college into a mere registering or recording board, yet no one now thinks such change in any wise revolutionary.

The next step in popular government in Oregon after the adoption of the direct primary law was the adoption of a Corrupt Practices Act, which the Legislature had refused to enact, but which the people of the State adopted under the initiative. The Corrupt Practices Act was adopted under the initiative in 1908 by a popular vote of 54,042 to 31,301. It provides that no candidate for office shall expend in his campaign for nomination more than fifteen per cent of one year's compensation of the office for which he is a candidate, provided that no candidate shall be restricted to less than $100. The Act provides, however, for the publication of a pamphlet by the Secretary of State for the information of voters, in which pamphlet a candidate in the primary campaign may have published a statement setting forth his qualifications, the principles and policies he advocates and favors, or any other matter he may wish to submit in support of his candidacy. Each candidate must pay for at least one page, the amount to be paid varying from $100 for the highest office to $10 for the minor offices. Every candidate may secure the use of additional pages at $100 per page, not exceeding three additional pages. Any person may use space in this pamphlet in opposition to any candidate, the matter submitted by him being first served upon the candidate and the space being paid for the same as in the case of candidates. The matter submitted in opposition to candidates must be signed by the author, who is subject to the general laws regarding slander and libel. Information regarding State and Congressional candidates is printed in a pamphlet issued by the Secretary of State, one copy being mailed to each registered voter in the State. Pamphlets regarding county candidates are issued by the County Clerk and mailed to each voter in the county. These pamphlets must be mailed at least eight days before the primary election. The amount of money paid for space in the public pamphlet of information is not considered in determining the amount each candidate has expended in his campaign; that is, he is entitled to expend in his primary campaign fifteen per cent of one year's compensation in addition to what he pays for space in the public pamphlet. Prior to the general election the Executive Committee or managing officers of any political party or organization may file with the Secretary of State portrait cuts of its candidates and typewritten statements and arguments for the success of its principles and the election of its candidates and opposing or attacking the principles and candidates of all other parties. This same privilege applies to independent candidates. These statements and arguments are printed in a pamphlet and mailed to the registered voters of the State not later than the tenth day before the general election.

While the Corrupt Practices Act limits the candidate to the expenditure of fifteen per cent of one year's salary in his primary campaign and ten per cent of a year's

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

salary in the general campaign, in addition to what he pays for space in the publicity pamphlet, yet the law does not prohibit any legitimate use of money within this limitation. The Act makes it possible for a man of moderate means to be a candidate upon an equality with a man of wealth. The law expressly provides that none of its provisions shall be construed as relating to the rendering of services by speakers, writers, publishers, or others for which no compensation is asked or given; nor to prohibit expenditure by committees of political parties or organizations for public speakers, music, halls, lights, literature, advertising, office rent, printing, postage, clerk hire, challengers or watchers at the polls, traveling expenses, telegraphing or telephoning, or the making of poll lists. The successful nominee in the primary may spend in his general campaign ten per cent of one year's salary, this expenditure, in the case of a candidate for Governor, being $500. In addition to this ten per cent of a year's salary he may contribute toward the payment for his party's statement in the publicity pamphlet to be mailed by the Secretary of State to every registered voter. In the publicity pamphlet for the general campaign each party may use not to exceed 24 pages, at $50 per page, making the total cost to the party committee $1,200, or about $100 for each candidate.

The candidate is therefore limited to an expenditure of $600 in his general campaign, only $100 of which is necessary in order to enable him to reach every registered voter. He could reach every registered voter in his party in the primary campaign for $400. Under no other system could a candidate reach all the voters in two campaigns at a total cost of $500. The Oregon Corrupt Practices Act encourages and aids publicity, but prohibits the excessive or improper use of money or other agencies for the subversion of clean elections.

There is no interference with such legitimate acts as tend to secure full publicity and free expression of opinion. Personal and political liberty is in no way infringed upon, the only purpose being to prohibit the excessive use of money, promises of appointment, or deception or fraud. The Corrupt Practices Act requires that every candidate shall file an itemized statement of his campaign expenditures within fifteen days after the primary election, including in such statement not only all amounts expended, but all debts incurred or unfulfilled promises made. Every political committee must have a treasurer, and cause him to keep a detailed account of its receipts, payments, and liabilities. Any committee or agent or representative of a candidate must file an itemized statement of receipts and expenditures within ten days after the election. The books of account of any treasurer of any political party, committee, or organization during an election campaign shall be open at all reasonable office hours to the inspection of the treasurer and chairman of any opposing political party or organization for the same electoral district. Failure to file statements as required by law is punishable by fine. The candidate violating any section of the Corrupt Practices Act forfeits his right to the office. Any other person violating any section of this Act is punished by imprisonment of not more than one year in the county jail, or a fine of not more than $5,000, or both. The candidate is also subject to the same penalties.

The final step in the establishment of popular government in Oregon was the adoption of the recall amendment to the Constitution, which was adopted in 1908 by a vote of 58,381 to 31,002. Under this amendment any public officer may be recalled by the filing of a petition signed by twenty-five per cent of the number of electors who voted in his district in the preceding election. The petition must set forth the reasons for the recall, and if the officer does not resign within five days after the petition is filed a special election must be ordered to be held within twenty days to determine whether the people will recall such officer. On the ballot at such election the reasons for demanding the recall of said officer may be set forth in not more than 200 words. His justification of his course in office may be set forth in a like number of words. He retains his office until the results of the special election have been officially declared. No petition can be circulated against any officer until he has held office six months, except that in the case of a

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

member of the State Legislature it may be filed at any time after five days from the beginning of the first session after his election. At the special election the candidate receiving the highest number of votes is declared elected. The special election is held at public expense, but a second recall petition cannot be filed against an officer unless the petitioners first pay the entire expense of the first recall election.

I assert again that Oregon has evolved the best system of popular government that exists in the world to-day.

The Australian ballot assures the honesty of elections.

The registration law guards the integrity of the privilege of American citizenship—participation in government.

The direct primary absolutely insures popular selection of all candidates, and establishes the responsibility of the public servant to the electorate and not to any political boss or special interest.

The initiative and referendum is the keystone of the arch of popular government, for by means of this the people may accomplish such other reforms as they desire. The initiative develops the electorate because it encourages study of principles and policies of government, and affords the originator of new ideas in government an opportunity to secure popular judgment upon his measures if eight per cent of the voters of his State deem the same worthy of submission to popular vote. The referendum prevents misuse of the power temporarily centralized in the Legislature.

The Corrupt Practices Act is necessary as a complement to the initiative and referendum and the direct primary, for without the Corrupt Practices Act these other features of popular government could be abused.

The recall, to my mind, is rather an admonitory or precautionary measure, the existence of which will prevent the necessity for its use.

Plainly stated, the aim and purpose of the laws is to destroy the irresponsible political machine and to put all elective offices in the State in direct touch with the people as the real source of authority; in short, to give direct and full force to the ballot of every individual elector in Oregon and to eliminate dominance of corporate and corrupt influences in the administration of public affairs. The Oregon laws mark the course that must be pursued before the wrongful use of corporate power can be dethroned, the people restored to power, and lasting reform secured. They insure absolute government by the people.

THE NEW BOOKS

It is said that fame consists in having a caricature of yourself in "Punch." If this is as true in America as in London, Mr. Roosevelt's title to fame is assured. We doubt whether any American of modern times has enjoyed (or suffered—the reader may take his choice) as many caricatures as Mr. Roosevelt. They began with his entrance into political life as a member of the New York Assembly in 1882, and have continued in increasing number and variety up to date. Dr. Albert Shaw, the editor of the "Review of Reviews," has gathered six hundred and thirty contemporary cartoons and many other pictures in "A Cartoon History of Mr. Roosevelt's Career," accompanying them with historical letterpress. The whole makes an entertaining book to look over. But it is something more. It is a true biography written and illustrated from a novel point of view; and the time will come when it will have distinct and unique value as a volume illustrating one characteristic phase of American life. In this respect it may well serve as a supplement to James Parton's interesting volume on "Caricature and Other Comic Art." (Review of Reviews Company, New York. $5.)

Several years ago Mr. Charles S. Olcott spent an entire summer in England gathering information concerning the characters and taking photographs of the actual scenes made famous in George Eliot's novels. He had already made this author and her people a matter of thorough study, and through the courtesy of English friends had unusual opportunities for ascertaining the truth of the statement that George Eliot had drawn many of her characters from real life. The results of his study and investigations have now been put into book form, under the title

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"George Eliot: Scenes and People in Her Novels." In the majority of cases these people are identified with men and women who actually lived, proving, as Mr. Olcott points out, what a marvelous memory George Eliot possessed: after the passing of many years she was able to set down, exact in every detail, conversations and incidents which came to her knowledge in girlhood. The chapter on "Romola" is especially interesting, with its list of names well known in Florentine history, the prototypes of many of the characters. We gain from this chapter some idea of the extraordinary task accomplished by the author in the writing of this historical novel. The illustrations are charming. They do not destroy, as they might have done, the fond pictures of the mind which the imagination inevitably conjures up in the reading of a novel. The portrait of her father, Robert Evans, shows the simplicity and strength which the reader expects to find in the prototype of Adam Bede. And in the portraits of Elizabeth Evans and of her aunt, caricatured as Aunt Glegg, we do not look in vain for evidences of those characteristics which George Eliot ascribes to them. The book itself deals largely with the characters which the great novelist has portrayed with such splendid skill, in several cases interesting bits of history being given in connection with the originals from whom these characters were drawn. In fact, the volume serves as a delightful background to the novels. The closing chapters are devoted to George Eliot herself and her life with Mr. Lewes. We find in them a defense of the woman with which, it would seem, all fair-minded people should agree. It will be recalled by our readers that a part of this volume, with the accompanying pictures, appeared in The Outlook in November and December of 1907 under the title "Real Life in George Eliot's Novels." (Thomas Y. Crowell & Co., New York. $2.)

A De Morgan story that is not a De Morgan story must be a disappointment. It is safe to assert that no publisher's reader to whom "An Affair of Dishonor" might be sent in manuscript unsigned would recognize its authorship from style, method, or substance. It may be unfair to compare it with the four other novels which bear its author's name, because here Mr. De Morgan is trying to do a totally different thing. Taking the tale for what it is, and trying to forget the humor and the human appeal of the beloved people in "Joseph Vance" and "Somehow Good," we find it described by Mr. De Morgan himself as a story of shame and lust and fraud. It is of the seventeenth and eighteenth century, but in reproducing the manners and tone of the time it is only moderately successful. It is tragic and pitiful in the incidents recorded, yet it does not really stir the heart greatly. It is curious in its exposition of hypnotism mistaken for witchcraft, yet not really convincing. It is heroic in its description of a sea battle, yet even in this brilliant piece of narration one does not feel that the author is entirely at home. It is well written, but it is not a great novel, and will not long hold the stage of public interest. (Henry Holt & Co., New York. $1.50.)

"The Shadow of a Titan" is, as a title, exactly descriptive of the strange, gigantesque, repellent creature who in this novel attempts to become Dictator of a South American Republic in order to make it more the vassal of the Church than any nation was in the Dark Ages. Unscrupulous, cruel, relentless, with a dying body but indomitable purpose, this adventurer attracts to him a beautiful Spanish woman, nominally his wife, who fears him, helps him, and comes to hate him. Mingled with the dim and lurid conception of South American political turmoil and war is a romance of English country life, witty, entertaining, and rather cynical. Altogether the novel is difficult of description. Its author, Mr. A. F. Wedgewood, has originality to an almost excessive degree. He is bold and has power as a writer. English critics find in this volume reason to predict the coming of a new light in the world of fiction. Certainly it holds its grip on the reader even if it at times puzzles and at other times repels him. (The John Lane Company, New York. $1.50.)

It is high praise to say that "The Meddlings of Eve," by William J. Hopkins, quite equals the standard set up by "The Clammer." An outlook upon life and men that is refreshingly wholesome and pure, without a suspicion of mawkish sentiment, but spiced with a certain acute comment upon character, is not a common thing in the fiction of these days. We are either smothered in lilies-of-the-valley or compelled to assist in assorting the contents of a moral rubbish heap, as a rule. But dear Eve, with the help of delightful Adam, meddles to some purpose in the pretty love affairs of Cecily and Margaret. Humor, dignity, and most perfect human love shine out in these charming stories. (Houghton Mifflin Company, Boston. $1.)

It has become customary for reviewers, when a new novel by Mr. S. R. Crockett appears, to exclaim at his excessive rapidity of production (he has forty-two volumes of fiction now on his list) and to intimate that perhaps less haste would make better art. This kind of criticism should not be applied to "Love's Young Dream," for the story is like the best of Mr. Crockett's early work; it has humor, character-building, and a plot more reasonable than he has lately given us. In reading it one thinks rather of "The Lilac Sunbonnet" than of some of its successors. The Scottish flavor is of the best, the love motive is sweet and fine, and the ending is comfortably happy. (The Macmillan Company, New York. $1.50.)

Mr. E. Temple Thurston's story "The Greatest Wish in the World" has much of the charm of his "The City of Beautiful

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Nonsense." It tells of the affection between a delightful old Irish priest in London—a character most faithfully realized—and Peggy, a little girl left as a baby in the church, found by the priest, and by him brought up with the help of his grim but secretly tender-hearted housekeeper. Peggy grows to womanhood, and secret sweethearting with an honest sailor-boy leads to temporary misery through treachery and the long absence of the shipwrecked sailor. The convent door almost closes forever behind Peggy, but, need we say, not quite. The story is simple and sincere. (Mitchell Kennerly, New York. $1.50.)

If there is a bit too much sweetness in the pretty story called "Everybody's Lonesome," by Clara E. Laughlin, there is also much common sense. An uninterested and uninteresting young girl was led out of herself by her wise godmother, who interpreted fairy gifts and purposes to the lonely child. The secret worked well and proved a passport to both having and bestowing happiness. Perhaps Mary Alice did not really meet King Edward and cheer him up, but it might have been, and it is a pretty story to tell. (The Fleming H. Revell Company, New York. 75c.)

"Westover of Wanalah" is an old-fashioned romance of the South. Beginning with inherited debts incurred by too lavish fried-chicken hospitality, it ends happily, of course. The reader's patience is sorely tried amid the jejune incidents that make up the plot. Rescue from an infuriated bull, false accusations of burglary (!) followed by the appearance and confession of the real criminal, intercepted letters between the lovers, whose plantations lay side by side, discovery of untold wealth in Western mines, and final explanations and marriage—these are the well-worn materials used by the veteran writer, George Cary Eggleston. (Lothrop, Lee & Shepard Company, Boston. $1.50.)

Dr. G. Campbell Morgan's many years of devotion to the interpretation of the Bible in terms of spiritual life are resulting in "The Analyzed Bible," a series to be complete in about thirty volumes. Two recent volumes on "The Prophecy of Isaiah" are a good specimen of his work. Treating this remarkable book, which bears the name of but one of its authors, as unified by a continuous line of thought from stage to stage of development, Dr. Morgan exhibits this in a broad outline, not critical but descriptive. It sets forth God's controversy with unrighteousness in the State, and with formalism and hypocrisy in the Church, as carried on through processes of retributive judgment and redemptive suffering to the peace and blessedness of a regenerated world. The two volumes are mainly a syllabus of the contents of Isaiah, sufficiently expanded to show the connected movement of the whole, with its spiritual lessons. (The Fleming H. Revell Company, New York. $1 each.)

Perfectly matter-of-fact and useful is the new book for young folks by Everett T. Tomlinson. "Young Americans in the British Isles" are well guided by this author, who takes them quickly from place to place and tells them just enough to excite their desire to know more. The style is enjoyable, and the many illustrations of varying vintage are appropriate and accurate. An excellent book for boys and girls under fifteen. (Houghton Mifflin Company, Boston. $1.50.)

Another book by Myrtle Reed is certain to find readers. In "The Master of the Vineyard" the author has made a new venture and enters the domain of problem novels. Her representation of marital troubles is discreet, and the remedy she offers is distinctly different from the ordinary surrender to conditions. Whether it is an effective way out, and whether it ever would have been tried, is a question. But it is intended to be moral and highly ideal. The curious hero does develop strength sufficient to manage his vineyard and his love affairs with alleged success—in the end. Why two young women besides his remarkable mother (who *never* failed to change her gown for dinner, and brought up her son to wear evening clothes) should be sacrificed to his development we do not pretend to know. To be entirely frank, our preference for "The Book of Clever Beasts" by Miss Reed still remains unshaken. (G. P. Putnam's Sons, New York. $1.50.)

William George Jordan claims an extraordinary degree of thoroughness and accuracy when he describes his chapters upon "Little Problems of Married Life" as "The Baedeker to Matrimony." Still he certainly guides one along the common tours, recommends suitable stopping-places, points out beauties, and warns against pitfalls. Nothing is so tempting, apparently, as to make such statements as this: "Constant fault-finding is an intoxication of the tongue that has destroyed more homes than drink." Of course that cannot be proved, but it is true that "fault-finding is but an assertion of intense selfishness—seeing things only from one standpoint. It is also true, but not always realized, that no one was ever converted from a fault, failing, or weakness by nagging." There is much sensible advice in these pages, given in an admirable spirit, and without doubt the simple, direct sincerity of the writer will prove effective and reach those whom he aims to help. Practical matters, such as providing for the future, or a wife's settled income, or talking business matters at home, are treated, as well as faults of manner and spirit. (The Fleming H. Revell Company, New York. $1.)

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A NEW VOLUME OF KIPLING

If you are a subscriber to the "OUTWARD BOUND" Edition of the works of RUDYARD KIPLING and have not received your copy of

REWARDS AND FAIRIES

send us a postal.

The stories in this new volume are a continuation of the adventures of Dan and Una with Puck and of the tales he told the two children in "Puck of Pook's Hill." The stories of adventure in America and France, of the voyages of Drake and the Elizabethan days, of the Saxon heroes, of prehistoric men and battles, of the French Wars, and the songs and verses that accompany them, give infinite variety and interest to this fascinating volume.

If you are not a subscriber, send a postal and we will be glad to give full particulars of the only complete edition of Kipling's works.

***"The Master of us all, George Meredith."*—Mrs. Humphry Ward**

MEMORIAL EDITION OF THE WORKS OF

GEORGE MEREDITH

The complete and definitive edition of his writings, to consist of twenty-seven volumes, including all his novels, stories, poems and essays, and also a great deal of new material not previously included in editions of his works. The illustrations, numbering sixty or more plates, are on an unusually attractive and comprehensive plan. **We will send on request a comprehensive booklet on George Meredith and this edition of his works.**

THE NEW YORK EDITION OF THE NOVELS AND TALES OF

HENRY JAMES

The only collected edition is now complete.

Mr. James has written a preface to each story, telling in an intensely interesting way of the circumstances of its creation. These prefaces only appear in this edition.

OTHER SETS IN SCRIBNER'S LIBRARY OF

MODERN AUTHORS

Thackeray—Kensington Edition
Stevenson—Thistle Edition
Tolstoi—International Edition
Carlyle—Edinburgh Edition
Stockton—Shenandoah Edition
F. Hopkinson Smith–Beacon Edition
Page—Plantation Edition
Mitchell—Edgewood Edition
Dickens—Complete Edition
Turgénieff—International Edition
Barrie—Thistle Edition
Field—Sabine Edition
Riley—Homestead Edition
Theodore Roosevelt—Elkhorn Edition
Vierge—Don Quixote

O-2

—Vierge
—Kipling
—Mitchell
—Roosevelt
—Thackeray
—Stevenson
—Tolstoi
—Stockton —Carlyle
—Hopkinson Smith
—Kipling —Dickens
—Turgénieff —Barrie
—Field —Riley
—Page —James
—Meredith

Messrs. Chas. Scribner's Sons:
Please send information in reference to your special offer on the authors checked above.

Name _____

Address _____

_____

CHARLES SCRIBNER'S SONS
153 FIFTH AVENUE NEW YORK

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

You Are Cordially Thanked

by your BOOKSELLER for your co-operation in making established successes of these noteworthy fall books:

	FIXED PRICE
The Motor Maid, by C. N. and A. M. Williamson	$1.20
The Power and the Glory, by Grace MacGowan Cooke	1.20
A Village of Vagabonds, by F. Berkeley Smith	1.50
A Girl of the Limberlost, by Gene Stratton-Porter	1.20

You Are Specially Requested

to call upon your BOOKSELLER and inspect these splendid new novels by well-known authors:

Whirligigs, by O. Henry — Fixed Price, 1.20

"A book to read and put away for rereading."—*New York Herald.*

"Each has its point, each its surprise. The sense of humor is never failing, the spontaneity and absolute freshness are things never to cease wondering at."—*New York Evening Globe.*

The Osbornes, by E. F. Benson — Fixed Price, 1.20

"'The Osbornes' will place the novel and its writing among the permanency of the fine arts. Mr. Benson has certainly brought to light a masterpiece."—*Boston Transcript.*

Queen Sheba's Ring, by H. Rider Haggard — 1.50

"Instinct with all the quick interest and romantic appeal that have rendered his earlier wonder tales famous."—*Chicago Record-Herald.*

The Caravaners, by the Author of *"Elizabeth and Her German Garden."* The rediscovery of a husband — 1.50

Now in its tenth edition in England. An immediate success in America. Second large printing before publication.

"The author's style is too popular to need description."—*New Orleans Picayune.*

The Shears of Destiny, by Leroy Scott — Fixed Price, 1.20

The romance of an American in Revolutionary Russia. Second large printing before publication.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

IMPORTANT PUBLICATIONS OF

D. APPLETON & COMPANY

29-35 W. 32d St., New York City

RACE DISTINCTIONS IN AMERICAN LAW

By GILBERT T. STEPHENSON, A.M., LL.B. (Harvard)

Member North Carolina Bar

This publication is the result of a careful study of much important legal data bearing upon race distinction. A thorough examination has been made of all the constitutions, statutes, and court reports of the various states and territories between 1865 and the present time. Such subjects as Jim Crow Legislation, Separation of Schools, Theatres, Restaurants and Hotels, the Suffrage Distinctions, Civil Rights, and all similar topics have been thoroughly discussed, with many references to authorities. 12mo, cloth, $1.50 net.

THE BIG GAME OF AFRICA

By RICHARD TJÄDER

Illustrated with 32 pages of photographs taken by the author. This book differs from other books describing hunting for big game in Africa, inasmuch as it has a scientific basis and deals very fully with all of the requirements for such an expedition. A unique feature is a chapter treating of the contributions to museums resulting from these explorations.

Ready October 21. 8vo, decorated cloth cover, $3.00 net.

STUDIES IN SPIRITISM

By DR. AMY E. TANNER

Dr. G. Stanley Hall writes: "I know nothing in the field that has appeared in recent times that at all ably and adequately represents the negative side with reference to the spiritualistic-telepathic hypothesis, which I think is very strongly favored by our studies of Mrs. Piper."

With an introduction by DR. G. STANLEY HALL. Large 12mo, cloth, $2.50 net.

THE STORY OF SUGAR

By G. T. SURFACE

Instructor in Yale University

No commodity of commerce has had a more varied, interesting, and significant history than sugar. This volume is intended to convey accurate and valuable information on the industry in the different periods and stages of its development. The beet-sugar industry receives special consideration from the standpoint of future prospects, since this must be regarded as an infant industry in the light of its rapid growth during the past two decades.

Small 12mo, cloth, fully illustrated, $1.00 net.

FLORENCE NIGHTINGALE

By LAURA E. RICHARDS

While the name of "The Angel of the Crimea" is a household word, the precise nature and scope of her work, and the difficulties and discouragement under which it was accomplished, are unknown to many children of the present generation. All this is here beautifully and completely related by a famous writer whose own father was in part responsible for confirming Miss Nightingale in her determination to devote her life to nursing.

Illustrated, 12mo, cloth, $1.25 net.

OVER THE NONSENSE ROAD

By LUCILE GULLIVER

This book contains a number of stories of a fantastic nature for children. They tell about the adventures of various little merry animals—The Gay Baboon, The Courtly Peeshoo, The Witching Wah, The Jolly Bruang, etc.—at sea, in the woods, in an imaginative country, and under various circumstances. There are five groups of these stories, each dealing with different animals and different in plot and scene.

Square 8vo, decorated cover, eight tinted half-tones, $1.50 net.

LEWIS CARROLL

By BELLE MOSES

Author of "Louisa May Alcott"

This is a very charming biography of the man who wrote "Alice in Wonderland." There is more here than has ever elsewhere appeared of the younger days of Lewis Carroll, while Miss Moses's imaginative sympathy has made a most enthusiastic history of the better-known period of the career of the author of "Alice in Wonderland." Nowhere else will young or old find a more delightful account of a more interesting character.

A rare portrait of Lewis Carroll as a young man as Frontispiece. Small 12mo, cloth, $1.25 net.

A BOOK OF THE CHRIST CHILD

By ELEANOR H. BROADUS

A group of legends of the Christ Child, written not to give religious instruction, but to present picturesque stories. The legends are recorded mainly in the Apocrypha, in mediæval saints' lives, in art, and in popular tradition. The writer has kept the outline of the stories, but has treated the details with freedom. The stories are not long and are written in a simple, direct style, each preceded by a short selection from an appropriate poem.

Illustrated by 16 copies in tints of paintings by old masters, colored border on pages. Square 8vo, decorated cloth cover with inlay in colors, $1.75 net.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MASSACHUSETTS

SEA PINES

A HOME SCHOOL

For Girls Desiring Individual Attention

Genuine happy home life with personal, affectionate care. Growing girls inspired by wholesome and beautiful ideals of useful womanhood. The Cape climate is exceptionally favorable for an **outdoor life** which we make attractive and refining. Forty acres; pine groves, seashore, ponies. *Hygiene and morals are observed especially for results in health,* character and education. Gymnastics. Music. Handiwork, Domestic Arts. French, German, Spanish—native teachers. All branches of study under patient and enthusiastic instructors. Address **Rev. Thomas Bickford, Miss Faith Bickford, Principals, East Brewster, Cape Cod, Mass.**

TEACHERS' AGENCIES

The Pratt Teachers Agency 70 Fifth Ave. New York

Recommends teachers to colleges, public and private schools. Advise parents about schools. **Wm. O. Pratt, Mgr.**

SCHOOLS AND COLLEGES

CALIFORNIA

CALIFORNIA, Los Angeles. 19th year opened Sept. 23d to Sept. 29th.

GIRLS' COLLEGIATE SCHOOL, Adams and Hoover Streets

"An ideal school amid ideal surroundings."

UPPER SCHOOL Girls over thirteen years of age — Certificate admits to leading colleges. Domestic Science, Music, Art, Gymnasium. Limited number of resident pupils.

MISS PARSONS and MISS DENNEN, Principals.

LOWER SCHOOL Girls under thirteen years of age — Thoroughly graded school, beginning with Kindergarten, fitting girls for the "Upper School." Music, Art, Gymnasium. Children admitted to home department.

MISS THOMAS and MISS MOSGROVE, Associate Principals.

California Hospital Los Angeles **School for Nurses**

Three years. Ideal private hospital. 150 beds. Maternity, medical, surgical, eye and ear departments. Surrounded by tropical gardens. Superior training. Illustrated booklet free. Write.

COLORADO

ST. STEPHEN'S SCHOOL

COLORADO SPRINGS, COLO.

Address REV. GIBSON BELL, Headmaster

THE WOLCOTT SCHOOL, DENVER

Superior climate. Accredited with Eastern Colleges for girls. Fine music advantages. Gymnasium, dancing, sports.

SEVERAL BOYS WILL BE GIVEN PREPARATION FOR HARVARD, YALE, ETC., ON COLORADO FRUIT RANCH. Best of climates, elevation 4,500. Riding and hunting under careful supervision, mountain excursions. Opportunity to learn scientific horticulture. In home of former headmaster of boys' school, native of Massachusetts, graduate of Harvard. BOX 40, R. D. No. 2, GRAND JUNCTION, COLO.

ILLINOIS

THE UNIVERSITY OF CHICAGO

HOME STUDY Correspondence-Study Dept.

offers 350 class-room courses to non-resident students. One may thus do part work for a Bachelor's degree. Elementary courses in many subjects, others for Teachers, Writers, Accountants, Bankers, Business Men, Ministers, Social Workers, Etc. Begin any time.

18th Year **U. of C. (Div. E) Chicago, Ill.**

"Home-Making, the New Profession"

Is a 100-page hand-book—it's FREE. Home-study *domestic science* courses. For home-makers, teachers, and for well-paid positions. **American School of Home Economics, 521 W. 69th St., Chicago, Ill.**

MASSACHUSETTS

LASELL SEMINARY

Auburndale, Mass. College preparation. Household Arts and Sciences. Ten miles from Boston. Address **G. M. Winslow, Ph.D., Principal**

MASSACHUSETTS

"THE ELMS" SCHOOL FOR GIRLS

English, Music, Special, and College Preparatory Courses

Certificate admits to Vassar, Smith, Mt. Holyoke, Wellesley. Miss PORTER, Principal, Springfield, Mass.

Muller-Walle School of Lip-Reading for the DEAF

Persons growing deaf taught to follow all natural conversation. Instruction private and in class. School open for ninth season at 601 Pierce Bldg., Copley Sq., Boston. MARTHA E. BRUHN, Principal. Circulars sent upon application.

SCHOLARSHIP

For a girl preparing for Vassar, Wellesley, Radcliffe, Smith, Mount Holyoke or Boston University, a scholarship is offered in one of the best girls' boarding schools in New England. Write for particulars. Address Scholarship, 7,306, *Outlook*.

Exceptional School Proposition

for the right man with some capital to invest in a well established school for boys in a very desirable New England town. Further development of school desired. Sale on favorable terms will also be considered if experience, capital, and following promise further success of school. Conditions make early arrangements desirable. 9,387, Outlook.

NEW YORK

Mrs. Hazen's Suburban School For Girls, Pelham Manor, N. Y.

Half hour from Grand Central Station, New York.

Mrs. John Cunningham Hazen, Principal.
Miss Sara Louise Tracy, Associate.

Rye Seminary, Rye, New York. For particulars address Mrs. S. J. LIFE, The Misses STOWE

OHIO

GLEN AIRY HOME

A **Home School** for nervous and otherwise defective children. Large grounds, every home comfort, strictly private. Scientific teaching, training, and development. LOUISE M. DOLL, 2160 Ohio Ave., Cincinnati, Ohio.

THE BERLITZ SCHOOL of LANGUAGES

New York: Madison Square, 1122 Broadway
Philadelphia, Chicago, Boston, Washington, St. Louis, etc., etc.
Over 350 Branches in the World
Terms reasonable. Trial lesson free.
Catalogues mailed on application.
BOOKS FOR SELF INSTRUCTION

HALLOWED HYMNS NEW and OLD

By I. ALLAN SANKEY, son of IRA D. SANKEY
OVER 1,000 CHURCHES USING IT
256 Pages, 100 New Songs, Responsive Readings
$25 per 100, not prepaid. 35c per copy by mail
Returnable samples mailed to "earnest inquirers"
THE BIGLOW & MAIN CO., New York or Chicago

6% FIRST MORTGAGE BONDS 6%

Secured by N. W. Farm Lands, $100, $500 and $1000 denominations: 6% payable semi-annually. First mortgages deposited with and certified to by Trust Co. Send for booklet. **WESTERN MORTGAGE SECURITIES CO.**
216 Andrus Building, Minneapolis, Minn.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SIX PER CENT SECURED CERTIFICATES

WHEN money is invested in our Secured Certificates, it is safeguarded beyond question. The Certificates are accompanied by First Mortgages on improved, well located real estate worth at least double the amount of the obligation. The depositor holds in his possession the mortgages, the Abstract of Title, and in fact, all other essential documents. 6% per annum, payable monthly, quarterly or semi-annually, as desired.

Write for booklet "A."

Capital and Surplus $400,000.00

SALT LAKE SECURITY & TRUST COMPANY

SALT LAKE CITY, UTAH.

F. E. McGURRIN—*PRES.* EST. 1886

5% ODD TIMES

when no interest is paid, cut in two the possible returns of many savings.

You cannot always deposit just before interest begins. Sometimes you have to use your money before the half year ends.

An investment with the Industrial Savings and Loan Company will

BEAR EARNINGS THE FULL TIME

invested, whether it be a year, a month or a day—we have no fixed interest days.

Conducted Under the Supervision of the New York Banking Department

and our books and records are open to public inspection in their files.

Absolute safety, quick availability and the highest earnings consistent with a conservative investment is what we offer.

Assets - - - - $2,250,000
Surplus and Profits, 175,000

Write for Booklet

INDUSTRIAL SAVINGS & LOAN CO.
10 Times Bldg., Broadway & 42d St., N. Y.

INDUSTRIAL SAVINGS & LOAN NEW YORK CITY

Choose Your Bond House Then Choose Your Bonds

Experience, Conservatism, Reliability and Breadth are important considerations in selecting a Bond House

Experience.—E. H. Rollins & Sons have been dealers in investment bonds for thirty-four years. The gentlemen who conduct the business are individually men of wide experience and sound judgment.

Conservatism.—E. H. Rollins & Sons purchase outright entire issues of bonds after the most searching investigation and under the advice of the ablest attorneys. These bonds are then offered to the investing public.

Reliability.—E. H. Rollins & Sons enjoy prestige and credit that are matters of common knowledge among financial institutions. The reliability of the house is attested by years of sober business success and by thousands of permanent clients.

Breadth.—E. H. Rollins & Sons have offices in Boston, New York, Chicago, Denver, and San Francisco. The transcontinental range of this business affords unusual breadth of investment opportunity.

E. H. Rollins & Sons have on hand at all times a variety of high-grade Municipal, Railroad, and Public Utility Bonds to meet the demands of the most exacting investor. We cordially invite investors to visit our offices. If it is not convenient to call, write for circular 109-O.

E. H. ROLLINS & SONS

John Hancock Building, Boston

NEW YORK CHICAGO DENVER SAN FRANCISCO

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MORE THAN

1,000 Schools

will use our graded text-books for religious education in 1910–11.

Are they successful?

Ask these schools.

Address for descriptive matter

THE UNIVERSITY OF CHICAGO PRESS

Chicago, Illinois

GUARANTEED MORTGAGES

YIELDING **5% to 5%** NET

FOR LARGE AND SMALL **Investors**

You need not be a capitalist to enjoy the solid advantages of security and income of investing your funds in such sums as you can conveniently spare from time to time in mortgages or

FIRST MORTGAGE TRUST BONDS

On New York and Suburban Real Estate

yielding 5% to 5½% net, payment of both interest and principal guaranteed by this company.

Payments of $10 to $100 will begin your ownership and income of these trust bonds which are secured by first mortgages deposited with the Windsor Trust Company of New York for the Bond-holder's protection.

Issued in amounts of $100 and multiples thereof, cashable at holder's option upon short notice, interest beginning at once and payable semi-annually.

Under Supervision of New York Banking Dept.

Our booklet with full particulars sent upon request. Address

NEW YORK MORTGAGE CO.

Dept. B, 1475 Broadway, New York City

Get the Chautauqua Idea

Read This Course

Industrial and Social History of England Edward P. Cheyney, University of Pennsylvania	$1.50
Social Ideals in English Letters, Vida D. Scudder, Wellesley College	1.75
Studies in Dickens, Mabell S. C. Smith	1.25
Mental Growth and Control, Nathan Oppenheim, M.D., New York	1.10
The Chautauquan Magazine (Monthly—Illustrated. Membership if desired). Containing Democratic England (Percy Allen, London, England, Member of Parliament); A Reading Journey in London (Percy H. Boynton, University of Chicago); English Cathedral Art (Kate F. Kimball); and much additional material of general interest for voluntary reading	2.00
Total	$7.60
All four books and the Magazine to one address (cash with order)	$5.00

"Easy for Anybody, Worth While for Everybody"

Don't Read at Random

For particulars address

CHAUTAUQUA INSTITUTION

Box 121, Chautauqua, N. Y.

Learn About England

REAL ESTATE SAVINGS BONDS

BEARING

6% SEMI-ANNUAL INTEREST

An absolutely safe, non-speculative investment; secured by the entire assets of a strong financial institution, and by the deposit with trustees of an equal amount of first mortgages on improved farm land. Bonds issued in amounts of two or more hundred dollars.

We confidently invite a careful investigation of our company and its securities. Write for our Booklet A.

THE DAY & HANSEN SECURITY CO.

Spokane, Washington

Paid up Capital and Surplus $1,100,000.00

ALLEN'S FOOT-EASE

Shake Into Your Shoes

Allen's Foot-Ease, **the antiseptic powder for the feet.** It relieves painful, swollen, smarting, nervous feet, and instantly takes the sting out of corns and bunions. **It's the greatest comfort discovery of the age.** Allen's Foot-Ease makes tight-fitting or new shoes feel easy. It is a certain cure for ingrowing nails, sweating, callous and tired, aching feet. We have over 30,000 testimonials. **TRY IT TO-DAY.** Sold everywhere, 25c. **Do not accept any substitute.** Sent by mail for 25c. in stamps.

FREE TRIAL PACKAGE sent by mail.

MOTHER GRAY'S SWEET POWDERS, the best medicine for Feverish, sickly Children. Sold by Druggists everywhere.

Trial Package **FREE.** Address,

ALLEN S. OLMSTED, Le Roy, N.Y.

"In a pinch, use Allen's Foot-Ease."

KEEP A FILE OF THE OUTLOOK. It is valuable for reference. A handsome Binder in jade green cloth, with gilt side stamp, will be sent postpaid on receipt of forty cents, by THE OUTLOOK COMPANY, 287 Fourth Ave., New York.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED